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

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 97

[Docket No. 31611; Amdt. No. 4171]

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

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

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

DATES: This rule is effective June 30, 2025. The compliance date for each SIAP, associated Takeoff Minimums, and ODP is specified in the amendatory provisions.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of June 30, 2025.

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

For Examination

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

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

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

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

Availability

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

FOR FURTHER INFORMATION CONTACT: Romana B. Wolf, Manager, Flight Procedures and Airspace Group, Flight Technologies and Procedures Division, Office of Safety Standards, Flight Standards Service, Aviation Safety, Federal Aviation Administration. Mailing Address: FAA Mike Monroney Aeronautical Center, Flight Procedures and Airspace Group, 6500 South MacArthur Blvd., STB Annex, Bldg. 26, Room 217, Oklahoma City, OK 73099. Telephone (405) 954–1139.

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

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

Availability and Summary of Material Incorporated by Reference

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

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

The Rule

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

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

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

contrary to the public interest and, where applicable, under 5 U.S.C. 553(d), good cause exists for making some SIAPs effective in less than 30 days.

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

Lists of Subjects in 14 CFR Part 97

Air traffic control, Airports, Incorporation by reference, Navigation (air).

Issued in Washington, DC, on June 20, 2025.

Romana B. Wolf,

Manager, Flight Procedures and Airspace Group, Flight Technologies and Procedures Division, Office of Safety Standards, Flight Standards Service, Aviation Safety, Federal Aviation Administration.

Adoption of the Amendment

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

PART 97—STANDARD INSTRUMENT APPROACH PROCEDURES

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

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

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

Effective 7 August 2025

Payson, AZ, PAN, RNAV (GPS) RWY 24, Orig
Atlanta, GA, PDK, ILS OR LOC RWY 21L, Amdt 10
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Engelhard, NC, 7W6, Takeoff Minimums and Obstacle DP, Amdt 1
Watertown, NY, ART, ILS OR LOC RWY 7, Amdt 9
Watertown, NY, ART, RNAV (GPS) RWY 7, Amdt 4
Oxford, OH, OXD, RNAV (GPS) RWY 5, Orig-C
Redfield, SD, 1D8, RNAV (GPS) RWY 17, Orig
Redfield, SD, 1D8, RNAV (GPS) RWY 35, Orig
Redfield, SD, 1D8, Takeoff Minimums and Obstacle DP, Orig
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San Antonio, TX, SSF, VOR RWY 32, Amdt 14D
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Fort Atkinson, WI, 61C, Takeoff Minimums and Obstacle DP, Amdt 1A

[FR Doc. 2025–12024 Filed 6–27–25; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 97

[Docket No. 31612; Amdt. No. 4172]

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

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

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

DATES: This rule is effective June 30, 2025. The compliance date for each SIAP, associated Takeoff Minimums, and ODP is specified in the amendatory provisions.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of June 30, 2025.

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

For Examination

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

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

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

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

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

Availability

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

FOR FURTHER INFORMATION CONTACT: Romana B. Wolf, Manager, Flight Procedures and Airspace Group, Flight Technologies and Procedures Division, Office of Safety Standards, Flight Standards Service, Aviation Safety, Federal Aviation Administration. Mailing Address: FAA Mike Monroney Aeronautical Center, Flight Procedures

and Airspace Group, 6500 South MacArthur Blvd., STB Annex, Bldg. 26, Room 217, Oklahoma City, OK 73099. Telephone (405) 954–1139.

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

Availability and Summary of Material Incorporated by Reference

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

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

The Rule

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

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

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

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

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

List of Subjects in 14 CFR Part 97

Air traffic control, Airports, Incorporation by reference, Navigation (air).

Issued in Washington, DC, on June 20, 2025.

Romana B. Wolf,

Manager, Flight Procedures and Airspace Group, Flight Technologies and Procedures Division, Office of Safety Standards, Flight Standards Service, Aviation Safety, Federal Aviation Administration.

Adoption of the Amendment

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

PART 97—STANDARD INSTRUMENT APPROACH PROCEDURES

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

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

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

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

** * * Effective Upon Publication*

AIRAC date	State	City	Airport	FDC No.	FDC date	Procedure name
7–Aug–25	IN	Bedford	Virgil I Grissom Muni	5/0087	4/23/2025	RNAV (GPS) RWY 13, Orig-B.
7–Aug–25	CA	Hayward	Hayward Exec	5/1631	4/28/2025	Takeoff Minimums and Obstacle DP, Amdt 1A.
7–Aug–25	MT	Butte	Bert Mooney	5/3596	4/8/2025	RNAV (GPS) RWY 15, Orig.
7–Aug–25	AK	Bethel	Bethel	5/3640	4/8/2025	ILS Z OR LOC Z RWY 19R, Amdt 7G.
7–Aug–25	IL	Kankakee	Greater Kankakee	5/4539	5/23/2025	RNAV (GPS) RWY 34, Amdt 1B.
7–Aug–25	IN	Bedford	Virgil I Grissom Muni	5/4631	4/22/2025	RNAV (GPS) RWY 31, Amdt 1C.
7–Aug–25	DC	Washington	Washington Dulles Intl	5/5971	4/15/2025	RNAV (RNP) Z RWY 30, Orig.
7–Aug–25	IL	Champaign/Urbana	University Of Illinois/Willard	5/6404	4/15/2025	VOR RWY 22, Amdt 8B.
7–Aug–25	WV	Martinsburg	Eastern WV Rgnl/Shepherd Fld.	5/6533	6/2/2025	RNAV (GPS) RWY 8, Amdt 1D.
7–Aug–25	WV	Martinsburg	Eastern WV Rgnl/Shepherd Fld.	5/6534	6/2/2025	RNAV (GPS) RWY 26, Orig-C.

AIRAC date	State	City	Airport	FDC No.	FDC date	Procedure name
7–Aug–25	WV	Martinsburg	Eastern WV Rgnl/Shepherd Fld.	5/6535	6/2/2025	VOR–A, Amdt 10A.

[FR Doc. 2025–12025 Filed 6–27–25; 8:45 am]
BILLING CODE 4910–13–P

DEPARTMENT OF THE TREASURY

Financial Crimes Enforcement Network (FinCEN)

31 CFR Part 1010

Imposition of Special Measure Prohibiting Certain Transmittals of Funds Involving Vector Casa de Bolsa, S.A. de C.V.

AGENCY: Financial Crimes Enforcement Network (FinCEN), Treasury.

ACTION: Notice.

SUMMARY: FinCEN is issuing notice of an order prohibiting certain transmittals of funds involving Vector Casa de Bolsa, S.A. de C.V., a financial institution operating outside of the United States determined to be of primary money laundering concern in connection with illicit opioid trafficking.

DATES: This action is effective [21 DAYS AFTER PUBLICATION IN THE **FEDERAL REGISTER**].

FOR FURTHER INFORMATION CONTACT: The FinCEN Resource Center at *www.fincen.gov/contact.*

SUPPLEMENTARY INFORMATION:

I. Summary of Order

This order sets forth FinCEN's finding that Vector Casa de Bolsa, S.A. de C.V. (Vector), a Mexico-based brokerage firm, is a financial institution operating outside of the United States that is of primary money laundering concern in connection with illicit opioid trafficking—specifically, through its provision of financial services that facilitate illicit opioid trafficking by Mexico-based drug trafficking organizations (DTOs), including (1) the Sinaloa Cartel and (2) the Gulf Cartel—and imposes a prohibition on certain transmittals of funds involving Vector by any covered financial institution.[1]

II. Background

A. Statutory Provisions

In 2024, Congress enacted the FEND Off Fentanyl Act,[2] which among other things, added 21 U.S.C. 2313a[3] (section 2313a). Section 2313a grants the Secretary of the Treasury (Secretary) the authority to make a finding that ''reasonable grounds exist for concluding'' that any of the following is of primary money laundering concern in connection with illicit opioid trafficking:

(1) One or more financial institutions operating outside of the United States;

(2) One or more classes of transactions within, or involving, a jurisdiction outside of the United States; or

(3) One or more types of accounts within, or involving, a jurisdiction outside of the United States.[4]

Upon making such a finding, the Secretary is authorized to require domestic financial institutions and domestic financial agencies to take certain ''special measures,'' which are safeguards that may be employed to defend the United States financial system from money laundering risks connected to illicit opioid trafficking.[5] The authority of the Secretary to administer section 2313a has been delegated to FinCEN.[6]

Pursuant to section 2313a, the Secretary may impose one or more of six special measures.[7] First, the Secretary may impose any of the five special measures provided for in 31 U.S.C. 5318A(b), commonly known as section 311 of the USA PATRIOT Act.[8] Special measures one through four, codified at 31 U.S.C. 5318A(b)(1)–(4), describe additional recordkeeping, information collection, and reporting requirements. Through these special measures, the Secretary may impose such information collection and reporting requirements on covered domestic financial institutions and domestic financial agencies—collectively, ''covered financial institutions.''[9] Special measure five, codified at 31 U.S.C. 5318A(b)(5), authorizes the Secretary, in consultation with the Secretary of State, the Attorney General, and the Chairman of the Board of Governors of the Federal Reserve System, to prohibit, or impose conditions upon, the opening or maintaining in the United States of correspondent or payable-through accounts by any domestic financial institution or domestic financial agency for, or on behalf of, a foreign banking institution, if such correspondent account or payable-through account involves one or more financial institutions operating outside of the United States that the Secretary has found to be of primary money laundering concern.[10] Special measure six, codified at 21 U.S.C. 2313a(a)(2), allows the Secretary to ''prohibit, or impose conditions upon, certain transmittals of funds (to be defined by the Secretary) by any domestic financial institution or domestic financial agency, if such transmittal of funds involves any such institution, class of transaction, or type of accounts.''[11]

Importantly, in connection with finding that a financial institution is of primary money laundering concern and imposing any special measure, section 2313a requires a finding that the relevant financial institution is ''of primary money laundering concern in connection with illicit *opioid trafficking*'' (emphasis added). 21 U.S.C. 2302 provides the operative definition of ''opioid trafficking'' for purposes of section 2313a, as any illicit activity:

(1) to produce, manufacture, distribute, sell, or knowingly finance or transport—(a) synthetic opioids, including controlled substances that are synthetic opioids and listed chemicals that are synthetic opioids; or (b) active pharmaceutical ingredients or chemicals that are used in the production of

[1] The application of FinCEN's authorities in this order is specific to authorities provided by the Fentanyl Sanctions Act and codified at 21 U.S.C. 2313a. It is not intended to otherwise reflect the applicability of, or obligations under, any provision of the Bank Secrecy Act (BSA) or its implementing regulations.

[2] The FEND Off Fentanyl Act is Division E of Public Law 118–50 (Apr. 24, 2024).

[3] Section 2313a codifies section 7213A of the Fentanyl Sanctions Act, as amended by section 3201(a) of the FEND Off Fentanyl Act. The Fentanyl Sanctions Act is Title LXXII of Public Law 116–92 (Dec. 20, 2019).

[4] 21 U.S.C. 2313a(a).

[5] *See* 21 U.S.C. 2313a(a).

[6] In accordance with Treasury Order 101–05 and 31 U.S.C. 321(b), the authority vested in the Secretary under section 2313a has been delegated to the Director of FinCEN.

[7] 21 U.S.C. 2313a(a).

[8] *See* 21 U.S.C. 2313a(a)(1). 21 U.S.C. 2313a(a)(1) explicitly references ''the special measures provided for in section 9714(a)(1) of the National Defense Authorization Act for Fiscal Year 2021 (Pub. L. 116–283; 31 U.S.C. 5318A note)'' (section 9714). Section 9714, in turn, references the five special measures set out in 31 U.S.C. 5318A(b)(1)–(5).

[9] 31 U.S.C. 5318A(b)(1)–(4).

[10] 31 U.S.C. 5318A(b)(5).

[11] 21 U.S.C. 2313a(a)(2).

controlled substances that are synthetic opioids;

(2) to attempt to carry out an activity described above; or

(3) to assist, abet, conspire, or collude with other persons to carry out such an activity.[12]

For purposes of this order, FinCEN interprets the term ''synthetic opioid'' to include fentanyl and fentanyl analogs, as well as precursors to fentanyl and precursors to fentanyl analogs.[13]

B. Illicit Opioid Trafficking

The sustained influx of fentanyl and other synthetic opioids into the United States has profound consequences, resulting in drug overdose becoming the leading cause of death for people aged 18 to 44 in the United States.[14] To address the synthetic opioid crisis, it is necessary to target the money laundering efforts of the Mexico-based DTOs that are the primary source of fentanyl and other synthetic opioids trafficked into the United States. These DTOs manufacture synthetic opioids in clandestine laboratories in Mexico using precursor chemicals sourced largely from the People's Republic of China (China), traffic these synthetic opioids into and throughout the United States, and launder the illicit profits back to Mexico.[15]

These DTOs could not profit on trafficking fentanyl and other synthetic opioids if not for their ability to launder and remit the monetary proceeds back to Mexico. DTOs and third-party money launderers use a diverse array of methods to launder money, including using financial institutions, remittance payments, bulk cash smuggling, trade-based money laundering, mirror trades, and cryptocurrencies.[16] It is therefore critical to address the role that financial institutions operating outside the United States play in facilitating the money laundering that enables and facilitates the DTOs and their illicit opioid trafficking and related money laundering.

III. Finding That Vector Is a Financial Institution Operating Outside the United States That Is of Primary Money Laundering Concern in Connection With Illicit Opioid Trafficking

Based on public and non-public information available to FinCEN, FinCEN finds that reasonable grounds exist to conclude that Vector, a financial institution operating outside the United States, is of primary money laundering concern in connection with illicit opioid trafficking through its provision of financial services that facilitate illicit opioid trafficking by Mexico-based DTOs, including the Sinaloa Cartel and the Gulf Cartel. In making this finding, FinCEN has considered the relevant evidence in light of factors identified in 31 U.S.C. 5318A(c)(2)(B), taking into account the specific circumstances of money laundering activities in connection with illicit opioid trafficking and the protection of U.S. national security and the U.S. financial system. While FinCEN is under no obligation pursuant to section 2313a to consider any particular factor or set of factors when making a finding that a financial institution operating outside of the United States is of primary money laundering concern in connection with illicit opioid trafficking, it nonetheless finds these factors instructive in guiding the analysis set forth below.[17]

A. Vector Is a Financial Institution Operating Outside the United States

Vector is a Mexico-based brokerage firm. By its own account, Vector offers a variety of financial services including, but not limited to, mutual fund management, money market, foreign exchange, investment banking, and fiduciary services.[18] According to commercially available banking information, Vector is headquartered in San Pedro Garza Garcia, Mexico, and provides U.S. dollar (USD) correspondent banking services through at least one U.S. financial institution.[19] Considering the services it provides, Vector is a financial institution within the meaning of 31 U.S.C. 5312(a)(2), and based on the foregoing, FinCEN has determined that Vector is a financial institution operating outside of the United States, as described in section 2313a.

B. Vector Is a Financial Institution of Primary Money Laundering Concern in Connection With Illicit Opioid Trafficking

FinCEN has considered the extent to which Vector is used to promote money laundering including in connection with organized criminal groups associated with illicit opioid trafficking.[20] Based on information available to FinCEN, FinCEN has determined that Vector has a history of suspected ties to international DTOs and facilitation of transactions on their behalf. Vector's exposure to, and facilitation of, transactions associated with suspected illicit opioid trafficking-related activities is consistent with its long-standing pattern of associations with, and conduct of transactions for multiple actors operating on behalf of or in tandem with, DTOs, including both the Sinaloa Cartel and the Gulf Cartel, each of which have been designated by

[12] 21 U.S.C. 2302(8).

[13] *See, e.g.,* Drug Enforcement Agency, *Synthetic Opioids Fact Sheet* (Dec. 2024), *https://www.dea.gov/sites/default/files/2025-01/Synthetic-Opioids-Drug-Fact-Sheet.pdf;* World Health Organization, *Opioid Overdose* (Aug. 29, 2023), *https://www.who.int/news-room/fact-sheets/detail/opioid-overdose; See also* Drug Enforcement Agency, Docket No. DEA–1086, *Special Surveillance List of Chemicals, Products, Materials and Equipment Used in the Manufacture of Controlled Substances and Listed Chemicals* (Oct. 24, 2023) *available at https://www.govinfo.gov/content/pkg/FR-2023-10-24/pdf/2023-23478.pdf.*

[14] *See* Centers for Disease Control, *CDC Reports Nearly 24% Decline in U.S. Drug Overdose Deaths* (Feb. 25, 2025), *https://www.cdc.gov/media/releases/2025/2025-cdc-reports-decline-in-us-drug-overdose-deaths.html;* E.O. 14159, *Imposing Duties To Address the Synthetic Opioid Supply Chain in the People's Republic of China,* 90 FR 9121 (Feb. 7, 2025), *https://www.federalregister.gov/documents/2025/02/07/2025-02408/imposing-duties-to-address-the-synthetic-opioid-supply-chain-in-the-peoples-republic-of-china.*

[15] *See* Drug Enforcement Administration, DEA–DCT–DIR–010–24, *2024 National Drug Threat Assessment* (May 2024), pp. 46–50, *https://www.dea.gov/sites/default/files/2024-05/5.23.2024%20NDTA-updated.pdf;* FinCEN, FIN–2024–A002, *Supplemental Advisory on the Procurement of Precursor Chemicals and Manufacturing Equipment Used for the Synthesis of Illicit Fentanyl and Other Synthetic Opioids* (June 20, 2024), *https://www.fincen.gov/sites/default/files/advisory/2024-06-20/FinCEN-Supplemental-Advisory-on-Fentanyl-508C.pdf;* Congressional Research Service, *Illicit Fentanyl and Mexico's Role* (Dec. 19, 2024), pp. 1–2, *https://crsreports.congress.gov/product/pdf/IF/IF10400.*

[16] *See* Drug Enforcement Administration, DEA–DCT–DIR–010–24, *2024 National Drug Threat Assessment* (May 2024), pp. 46–50, *https://www.dea.gov/sites/default/files/2024-05/5.23.2024%20NDTA-updated.pdf.*

[17] 31 U.S.C. 5318A(c)(2)(B) provides, as relevant here, that in making a finding that reasonable grounds exist for concluding that a financial institution outside the United States is of primary money laundering concern and to apply one or more of special measures one through four to such a financial institution, the Secretary shall consider such information as the Secretary determines to be relevant, including the following potentially relevant factors:

(1) the extent to which such financial institutions, transactions, or types of accounts are used to facilitate or promote money laundering in or through the jurisdiction, including any money laundering activity by organized criminal groups, international terrorists, or entities involved in the proliferation of weapons of mass destruction or missiles;

(2) the extent to which such institutions, transactions, or types of accounts are used for legitimate business purposes in the jurisdiction; and

(3) the extent to which such action is sufficient to ensure, with respect to transactions involving the jurisdiction and institutions operating in the jurisdiction, that the purposes of this subchapter continue to be fulfilled, and to guard against international money laundering and other financial crimes.

[18] Detailed descriptions of Vector's financial services can be found under the Services dropdown menu, *available at Vector.com.mx/en/* and *e-vector.com.mx/guia-de-servicios/* (last accessed Apr. 14, 2025).

[19] BankCheck, Profile for Vector Casa de Bolsa *available at https://bankcheck.app* (last accessed Apr. 14, 2025).

[20] *See* 31 U.S.C. 5318A(c)(2)(B)(i).

Treasury's Office of Foreign Assets Control (OFAC) and, as of February 20, 2025, have also been designated as foreign terrorist organizations (FTOs) pursuant to section 219 of the Immigration and Nationality Act (INA), as amended.[21]

1. Vector Processed Funds Transfers on Behalf of Exporters and Importers of Synthetic Opioid-Related Precursor Chemicals

Based on non-public information available to FinCEN, FinCEN has determined that Vector has a history of processing USD-denominated funds transfers that finance the importation of precursor chemicals used for the production of illicit synthetic opioids on behalf of DTOs.

In the United States, precursor chemicals are substances regulated by the Drug Enforcement Administration (DEA) in order to prevent the illicit manufacture of controlled substances. As of December 2024, most U.S.-destined illicit fentanyl was produced in clandestine labs in Mexico, using precursor chemicals imported from China.[22] Although the Mexican and Chinese governments have established controls on multiple precursor chemicals, China-based suppliers remain the main source for precursor chemicals used by DTOs in Mexico to produce illicit opioids.[23]

DTOs are known to employ transnational funds transfer services via various financial institutions and agencies, including, but not limited to, banks, money services businesses, and online payment processors to drive illicit opioid-related financial flows.[24] A common method employed by DTOs to obfuscate illicit opioid trafficking-related payments includes using shell and front companies in an effort to disguise the origin and destination of illicit funds.[25] Specifically, DTOs operate through shell companies—businesses that exist only as an entity through which money may be transferred—to hide beneficial ownership. Similarly, DTOs commingle drug proceeds with legitimate revenue from front companies—which operate partially as normal businesses—in an effort to disguise the illicit proceeds.[26] For example, according to public and non-public information available to FinCEN, Vector remitted over USD 17 million in suspicious wire transfers to multiple China-based companies in early 2021 on behalf of a company that was reportedly tied to an international drug trafficking organization. FinCEN assesses that these same methods are being used by DTOs to import precursor chemicals from China into Mexico under the guise of legitimate business transactions, which are facilitated by Vector through the clearance of payments between Mexico-based companies and China-based companies known to have engaged in the trade of precursor chemicals for the furtherance of illicit opioid trafficking as described below.

Based on non-public information, FinCEN also assesses that Vector has been instrumental in processing funds transfers to China-based companies known to have shipped precursor chemicals to Mexico for illicit purposes. Since at least 2019, over 20 China-based companies, including the three with activity highlighted below, were known to have shipped precursor chemicals to Mexico for illicit purposes—for instance:

- From 2018 through 2023, one China-based company received over 12 international funds transfers totaling over USD 300,000 from over four Mexico-based companies through Vector.
- From 2022 through 2023, a second China-based company received over 18 international funds transfers totaling over USD 700,000 from over five Mexico-based companies through Vector.
- From 2020 through 2023, a third China-based company received over 10 international funds transfers totaling over USD 70,000 from at least two Mexico-based companies through Vector.

Based on non-public information, as well as the volume and dollar amount of funds transfers that Vector processed over several years with these companies, FinCEN assesses that such transactions likely facilitated illicit opioid trafficking by Mexico-based DTOs.

2. Vector Provided Financial Services That Benefited the Sinaloa Cartel

In 2024, the DEA described the Sinaloa Cartel as being ''at the heart'' of the synthetic drug crisis, including opioids—using its global supply chain network to gain access to the pill presses and precursor chemicals needed to manufacture opioids in Mexico, distribute them in the United States, and then return laundered profits back to Mexico.[27] In 2009, the Sinaloa Cartel was found to be a significant foreign narcotics trafficker pursuant to the Foreign Narcotics Kingpin Act (Kingpin Act).[28]

Based on non-public information, FinCEN has identified several transactions involving Vector and affiliates of the Sinaloa Cartel. For example, information available to FinCEN demonstrates that, between 2013 and 2016, a suspected Sinaloa Cartel money mule[29] transferred over USD 1.5 million to Vector. Further, from 2019 through 2021, the same money mule transferred over USD 500,000 to

[21] Department of State, *Designation of International Cartels Fact Sheet, https://www.state.gov/designation-of-international-cartels/* (last accessed Feb.27, 2025); *see also* Department of State, *Foreign Terrorist Organization Designation of Tren de Aragua, Mara Salvatrucha, Cartel de Sinaloa, Cartel de Jalisco Nueva Generación, Carteles Unidos, Cartel del Noreste, Cartel del Golfo, and La Nueva Generacion, Carteles Unidos, Cartel del Noreste, Cartel del Golfo, and La Nueva Familia Michoacana,* 90 FR 10030–31 (Feb. 20, 2025), *https://www.govinfo.gov/content/pkg/FR-2025-02-20/pdf/2025-02873.pdf;* 8 U.S.C. 1189 (codifying section 219 of the Immigration and Nationality Act).

[22] Congressional Research Service, *Illicit Fentanyl and Mexico's Role* (Dec. 19, 2024), p. 1, *https://crsreports.congress.gov/product/pdf/IF/IF10400/13.*

[23] Drug Enforcement Administration, DEA–DCT–DIR–010–24, *National Drug Threat Assessment 2024* (May 2024), p. 7, *https://www.dea.gov/sites/default/files/2025-02/508_5.23.2024%20NDTA-updated.pdf;* FinCEN, FIN–2024–A002, *Supplemental Advisory on the Procurement of Precursor Chemicals and Manufacturing Equipment Used for the Synthesis of Illicit Fentanyl and Other Synthetic Opioids* (Jun. 20, 2024), pp. 2–6, *https://www.fincen.gov/sites/default/files/advisory/2024-06-20/FinCEN-Supplemental-Advisory-on-Fentanyl-508C.pdf.*

[24] Congressional Research Service, *Illicit Fentanyl and Mexico's Role* (Dec. 19, 2024), p. 1–2, *https://crsreports.congress.gov/product/pdf/IF/IF10400/13.*

[25] Shell companies are businesses that exist only as an entity through which money may be transferred to hide beneficial ownership. Front companies operate partially as normal businesses; however, DTOs commingle drug proceeds with legitimate revenue from the front companies in an effort to disguise them. Drug Enforcement Administration, DEA–DCT–DIR–008–21, *2020 National Drug Threat Assessment* (Mar. 2021), p. 88, *https://www.dea.gov/sites/default/files/2021-02/DIR-008-21%202020%20National%20Drug%20Threat%20Assessment_WEB.pdf.*

[26] Drug Enforcement Administration, DEA–DCT–DIR–008–21, *2020 National Drug Threat Assessment* (Mar. 2021), p. 88, *https://www.dea.gov/sites/default/files/2021-02/DIR-008-21%202020%20National%20Drug%20Threat%20Assessment_WEB.pdf.*

[27] *See supra* note 16, pp. 4–11.

[28] The White House, *Fact Sheet: Overview of the Foreign Narcotics Kingpin Designation Act* (Apr. 15, 2009), *https://obamawhitehouse.archives.gov/the-press-office/fact-sheet-overview-foreign-narcotics-kingpin-designation-act;* OFAC, Press Release, *Treasury Designates Sinaloa Cartel Members Under the Kingpin Act* (Dec. 15, 2009), *https://home.treasury.gov/news/press-releases/tg444.*

[29] A ''money mule'' is an individual who transfers or moves illegally acquired money on behalf of someone else. Money mules help launder proceeds derived from multiple illicit activities, including drug trafficking. As part of the layering process, money mules make it harder for law enforcement to accurately trace money trails. For further information on money mules, *see* the Federal Bureau of Investigation, *Money Mules, https://www.fbi.gov/how-we-can-help-you/scams-and-safety/common-frauds-and-scams/money-mules.*

Vector through a U.S.-based company. As another example, Vector engaged in several transactions over several years that FinCEN assesses involved proceeds of bribes paid by the Sinaloa Cartel to Mexico's ''top law enforcement official,'' Genaro Garcia Luna. Garcia Luna, Mexico's former Secretary of Public Security and head of Mexico's Federal Investigative Agency, was convicted at trial in 2023 for abusing his positions between 2001 and 2012 to permit the Sinaloa Cartel to evade law enforcement in exchange for millions of dollars in bribes.[30] FinCEN has further determined that between 2013 and 2019, a business controlled by Garcia Luna conducted transactions with Vector totaling more than USD 40 million. FinCEN assesses that these transactions involved the proceeds of bribes to Garcia Luna, and along with the transactions conducted by the money mule described above, likely facilitated illicit opioid trafficking by the Sinaloa Cartel.

3. Vector Provided Financial Services That Specifically Benefited the Gulf Cartel

In 2021, the DEA stated that it considered the Cartel del Golfo (Gulf Cartel) to be one of the Mexican DTOs with the greatest drug trafficking impact on the United States.[31] When designating the Gulf Cartel in 2021, under E.O. 14059, OFAC similarly described the organization as one of Mexico's oldest and most powerful DTOs.[32] Moreover, in December 2024, the Department of Justice described the Gulf Cartel as ''one of Mexico's oldest criminal syndicates, engaging in drug trafficking, violence, human smuggling, and more.'' [33]

The Gulf Cartel receives fentanyl produced by partner cartels and moves it into the United States.[34] In connection with those activities, numerous illicit opioid traffickers affiliated with the Gulf Cartel have been convicted in the United States. For example, in 2023, an individual operating on behalf of the Gulf Cartel pleaded guilty to international drug trafficking and money laundering conspiracy charges stemming from a large-scale operation involving at least sixteen other participants trafficking six kilograms of fentanyl and other illicit narcotics.[35]

Based on non-public information available to FinCEN, FinCEN has identified several transactions involving Vector and affiliates of the Gulf Cartel. For example, in the first half of 2023, a Gulf Cartel-affiliated money launderer purportedly used Vector as a guaranteed secured and reliable mechanism through which to transfer illicit funds. FinCEN assesses that these transactions likely facilitated illicit opioid trafficking by the Gulf Cartel.

C. The Extent to Which Vector Is Used for Legitimate Business Activity

In reaching its finding, FinCEN has considered the extent to which Vector is used for legitimate business purposes.[36] Vector is the ninth largest brokerage firm in Mexico, worth Mexican Pesos (MXN) 215.841 billion (USD 10.67 billion) in custodial assets, as of December 2024, and maintains one U.S. correspondent.[37] According to Mexico's National Banking Securities Commission (CNBV), as of February 2025, Vector was one of 37 registered brokerage houses in Mexico.[38] As of 2024, Vector's custodial assets represented 2.1 percent of brokerage firm custodial assets in Mexico.[39]

According to Vector's 2023 Report on Sustainability and other public materials, Vector maintains an anti-money laundering and countering the financing of terrorism (AML/CFT) compliance program. Vector's AML/CFT program includes a risk-based approach to onboarding and is comprised of the following five pillars: (1) ''Know Your Customer'' (KYC); (2) analysis and monitoring; (3) training; (4) systems; and (5) auditing.[40] The AML/CFT compliance program is administered by a Compliance Officer who reports to the Communication and Oversight Committee—which in turn supports the Board of Directors—and whose duties include, but are not limited to, coordinating transaction monitoring and investigations, designing annual training for staff, serving as a resource on applicable regulations, verifying implementation of new or updated compliance guidance, and reporting violations of the Vector compliance manual to the Communication and Oversight Committee.[41]

Notwithstanding Vector's AML/CFT compliance program, in light of public and non-public information available to FinCEN, FinCEN assesses that Vector's legitimate business activities do not outweigh the risk posed by its provision of services to facilitate illicit opioid trafficking activities by DTOs who seek to circumvent AML/CFT obligations and obfuscate the source of funds or their intended use. In particular, FinCEN analyzed references to regulated Mexican banks and brokerage houses in 2022–2024, from non-public information made available to FinCEN, and produced an asset-weighted ranking based on asset data published by Mexico's CNBV. Vector ranked second in the asset-weighted analysis of potentially illicit activity, and FinCEN assesses that a higher relative concentration of such activity amongst smaller market share financial institutions such as Vector in Mexico is likely indicative of weak AML/CFT

[30] U.S. Attorney's Office for the Eastern District of New York, Press Release, *Ex-Mexican Secretary of Public Security Genaro Garcia Luna Sentenced to Over 38 Years' Imprisonment. U.S. Attorney's Office* (Oct. 16, 2024), *https://www.justice.gov/usao-edny/pr/ex-mexican-secretary-public-security-genaro-garcia-luna-sentenced-over-38-years.*

[31] Drug Enforcement Administration, *2020 National Drug Threat Assessment* (Mar. 2021), p. 71, *https://www.dea.gov/sites/default/files/2021-02/DIR-008-21%202020%20National%20Drug%20Threat%20Assessment_WEB.pdf.*

[32] OFAC, Press Release, *Treasury Uses New Sanctions Authority to Combat Global Illicit Drug Trade* (Dec. 15, 2021), *https://home.treasury.gov/news/press-releases/jy0535.* The cartel was also identified as a significant foreign narcotics trafficker pursuant to the Kingpin Act, in 2007. The White House, *Letter to Congressional Leaders Transmitting Designations Under the Kingpin Act* (June 1, 2007), *https://www.govinfo.gov/content/pkg/PPP-2007-book1/pdf/PPP-2007-book1-doc-pg679-2.pdf.* And, on February 20, 2025, the Department of State identified the Gulf Cartel as a foreign terrorist organization. *See supra* note 21.

[33] U.S. Attorney's Office Southern District of Texas, Press Release, *Gulf Cartel Drug Trafficker Sent to Prison Following Major Cocaine and Cash Seizures* (Dec. 18, 2024), *https://www.justice.gov/usao-sdtx/pr/gulf-cartel-drug-trafficker-sent-prison-following-major-cocaine-and-cash-seizures.*

[34] S. Dudley and P. Asmann, ''Gulf Cartel Still 'Public Enemy No. 1' on US-Mexico Border: Homeland Security,'' *InSight Crime* (May 18, 2023), *https://insightcrime.org/news/interview/gulf-cartel-public-enemy-us-mexico-border-homeland-security/.*

[35] Drug Enforcement Administration, Press Release, *Money Launderer for Cartel Sent to Prison* (Dec. 13, 2023), *https://www.dea.gov/press-releases/2023/12/13/money-launderer-cartel-sent-prison;* IRS, Press Release, *Money launderer for cartel sent to prison* (Dec. 12, 2023), *https://www.irs.gov/compliance/criminal-investigation/money-launderer-for-cartel-sent-to-prison.*

[36] *See* 31 U.S.C. 5318A(c)(2)(B)(ii).

[37] Ranking determined by comparing Vector's custodial assets reported by CNBV in December 2024 with the total custodial assets reported for brokerage firms in Mexico by CNBV in December 2024. *See* Government of Mexico, CNBV, Casas de Bolsa, (Dec. 2024), *available for export at https://portafolioinfo.cnbv.gob.mx/PUBLICACIONES/Boletines/Paginas/CB.aspx* (last accessed Feb. 27, 2025); *see supra* note 19 for BankCheck Profile for Vector Casa de Bolsa, at Payments Information, *https://bankcheck.app.*

[38] CNBV, Information Portfolio on Casas de Bolsas, *https://app.powerbi.com/view?r=eyJrIjoiYjA5ZWFjNTctYzZlMC00M2Y2LWEwNzAtMWM3YTkzNTRmYTk2IiwidCI6IjVlMmM0OTc3LTEwN2QtNDBhMy04YWY3LTcwMDc0ODFhNjBkNCIsImMiOjR9.*

[39] *See supra* note 37; percentage determined by comparing Vector's custodial assets reported by CNBV in December 2024 with total custodial assets reported for brokerage firms by CNBV in December 2024.

[40] Vector, *Informe de Sostenibilidad 2023,* pp. 24–27, *https://www.vector.com.mx/wp-content/uploads/2024/07/InformedeSostenibilidadVector2023.pdf023* (last accessed Apr. 14, 2025).

[41] *Id.*

controls within these institutions. Accordingly, given the extensive flows of illegitimate funds through Vector, FinCEN assesses that the need to protect U.S. financial institutions from the money laundering risks presented by Vector outweighs any potential legitimate utility its services may provide.

D. The Extent to Which This Action Would Guard Against International Money Laundering and Other Financial Crimes Associated With Illicit Opioid Trafficking

A finding that Vector is of primary money laundering concern in connection with illicit opioid trafficking establishes—and emphasizes—the significant illicit finance risks posed by Vector's provision of financial services that facilitate illicit opioid trafficking by Mexico-based DTOs. This finding will place U.S. and foreign financial institutions and regulators on notice to guard against those risks.[42] Moreover, such a finding—in combination with a prohibition on certain transmittals of funds involving Vector by covered financial institutions—will safeguard the U.S. financial system, by severing Vector's access.

IV. Imposition of a Special Measure Prohibiting Certain Transmittals of Funds Involving Vector

Having found that Vector is a financial institution operating outside of the United States that is of primary money laundering concern in connection with illicit opioid trafficking, FinCEN has determined that the imposition of a special measure prohibiting certain transmittals of funds involving Vector is warranted.[43] In making this determination and assessing which special measures may be appropriate, FinCEN has considered the relevant evidence in light of factors identified in 31 U.S.C. 5318A(a)(4)(B). While FinCEN is under no obligation pursuant to section 2313a to consider any particular factor or set of factors in selecting one or more special measures, it nonetheless finds these factors instructive in guiding the analysis set forth below.[44]

A. Whether the Prohibition on Certain Transmittals of Funds Involving Vector Will Address the Money Laundering Concern in a Manner Consistent With U.S. National Security and Foreign Policy Interests

FinCEN has considered the effect this action will have on U.S. national security and foreign policy, as well as the extent to which multilateral groups or other nations have taken similar actions.[45] Given Vector's association with DTOs and other actors engaged in illicit opioid trafficking, FinCEN assesses that imposing a prohibition on certain transmittals of funds involving Vector is necessary to safeguard U.S. national security and the U.S. financial system, as well as to serve key U.S. national security objectives.[46] In particular, prohibiting certain transmittals of funds involving Vector will further ongoing U.S. efforts to curtail illicit opioid trafficking—including the manufacture of synthetic opioids—and related financial transactions that facilitate the laundering of the proceeds of their distribution. Targeting the illicit proceeds of drug traffickers and DTOs, especially those with a nexus to illicit opioids—like the Sinaloa and Gulf Cartels—is a high priority for the United States. And, for that reason, recent actions by OFAC and the Department of State have focused on DTOs affiliated with opioid-related illicit finance threats, including the February 20, 2025, designation of certain DTOs—including the Sinaloa and Gulf Cartels—as FTOs.[47] Publicly countering a financing mechanism used by these illicit entities by prohibiting certain transmittals of funds involving Vector will serve the national security and financial system of the United States by further deterring and curtailing illicit opioid trafficking, along with the activities of DTOs and FTOs. Similarly, such a prohibition would sever a pathway that may facilitate circumvention of U.S. economic sanctions, increasing the efficacy of those sanctions and complementing previous actions taken by the U.S. government.

Moreover, this action reinforces the expectations of AML/CFT compliance in the financial system, highlighting the importance of identifying and reporting suspicious activity by financial institutions around the world. With respect to the illicit finance risks posed by Vector, that is of particular importance, as no multilateral groups and no other nations have yet acted to address those risks.

B. Whether the Prohibition on Certain Transmittals of Funds Involving Vector Would Create a Significant Competitive Disadvantage, Including Through Imposing Undue Burdens on Legitimate Activity of Vector or Third Parties

FinCEN has considered whether prohibiting certain transmittals of funds would create a significant competitive disadvantage, including any undue cost or burden associated with compliance, for financial institutions organized or licensed in the United States, as well as the extent to which the action could have a significant adverse systemic impact on legitimate business activities involving Vector.[48] FinCEN assesses that prohibiting certain transmittals of funds involving Vector may impose a burden on legitimate activities currently transacted through Vector or the legitimate activities of third parties impacted by this order; however any burden and disruption should be relatively minimal, as similar services are offered by other financial institutions in Mexico, and third parties will have sufficient time and capability to ensure compliance.

As noted above, Vector is the ninth largest brokerage firm in Mexico, worth Mexican Pesos (MXN) 215.841 billion (USD 10.67 billion) in custodial assets, as of December 2024, and maintains one

[42] *See* 31 U.S.C. 5318A(c)(2)(B)(iii).

[43] In connection with this action, and consistent with 31 U.S.C. 5318A(a)(4)(A), FinCEN consulted with staff at the following Departments and agencies with regard to the proposed order and prohibition: the Department of Justice; the Department of State; the Board of Governors of the Federal Reserve System; the Federal Deposit Insurance Corporation; the Securities and Exchange Commission; the Commodity Futures Trading Commission; the Office of the Comptroller of the Currency; and the National Credit Union Administration. None of the Departments or agencies objected to the issuance of this order based on the information provided to staff at the time of this consultation.

[44] 31 U.S.C. 5318A(a)(4)(B) provides, as relevant here, that in selecting which special measure(s) to take, the Secretary shall consider:

(1) whether similar action has been or is being taken by other nations or multilateral groups;

(2) whether the imposition of any particular special measure would create a significant competitive disadvantage, including any undue cost or burden associated with compliance, for financial institutions organized or licensed in the United States;

(3) the extent to which the action or the timing of the action would have a significant adverse systemic impact on the international payment, clearance, and settlement system, or on legitimate business activities involving the particular jurisdiction, institution, class of transactions, or type of account; and

(4) the effect of the action on United States national security and foreign policy.

[45] *See* 31 U.S.C. 5318A(a)(4)(B)(i), (iv).

[46] *See generally* National Security Memorandum/NSM–24, *National Security Memorandum on Prioritizing the Strategic Disruption of the Supply Chain for Illicit Fentanyl and Synthetic Opioids Through a Coordinated, Whole-of-Government, Information-Driven Effort* (July 31, 2024), *https://www.govinfo.gov/content/pkg/DCPD-202400663/pdf/DCPD-202400663.pdf;* Treasury, *2024 National Strategy for Combating Terrorist and Other Illicit Financing* (May 2024), *https://home.treasury.gov/system/files/136/2024-Illicit-Finance-Strategy.pdf;* Drug Enforcement Administration, DEA–DCT–DIR–010–24, *2024 National Drug Threat Assessment* (May 2024), *https://www.dea.gov/sites/default/files/2024-05/5.23.2024%20NDTA-updated.pdf.*

[47] *See supra* note 21.

[48] *See* 31 U.S.C. 5318A(a)(4)(B)(ii), (iii).

U.S. correspondent.[49] As of 2024, Vector's custodial assets represented 2.1 percent of brokerage firm custodial assets in Mexico.[50] By comparison, the assets of the two largest Mexico-based brokerage firms in 2024 represented 26.6 percent with MXN 2.706 trillion (USD 133.72 billion) and 22.9 percent with MXN 2.329 trillion (USD 115.11 billion), respectively, of brokerage firm custodial assets in Mexico.[51] FinCEN assesses that given Vector's size compared to the largest financial institutions in Mexico and the array of correspondent relationships between U.S. and Mexican financial institutions, the macroeconomic impact of prohibiting certain transmittals of funds involving Vector would be negligible. Vector has one recorded location—its head office located in Monterrey—and no identified offices outside of Mexico.[52] Indeed, although Vector offers services used by licit actors, the legitimate business services that it offers would be readily available through other regulated institutions, and those financial institutions would do so with the appropriate transparency necessary to support international efforts to protect the integrity of the international financial system.

Although this order represents one of the first issuances of an order under section 2313a, FinCEN has afforded financial institutions an additional 21 days to prepare for the prohibition and, regardless, assesses that this action would not impose any undue cost or burden for financial institutions, as covered financial institutions would be positioned to readily incorporate the requirements of this order into their compliance programs. FinCEN does anticipate that, although any Vector affiliates outside of Mexico from this order would not be subject to the restrictions set out in this order, there may yet be challenges associated with transactions involving such entities. However, the burden associated with any such challenges remains outweighed by the benefits to national security from this action, and, again, FinCEN assesses that covered financial institutions' existing compliance programs and process will be sufficient to navigate those challenges and mitigate associated burden. FinCEN further assesses that the implementation period of this order will appropriately ensure compliance while mitigating burden and unintended consequences on licit businesses and customers.

C. Whether Any Other Reasonable Alternatives or Special Measures Would Adequately Address the Money Laundering Concern

In imposing a prohibition on certain transmittals of funds, FinCEN considered other available special measures [53] and, after due consideration, has determined that special measure six—prohibiting certain transmittals of funds involving Vector—is the appropriate means to adequately address the illicit finance risks that Vector poses.

None of the special measures set out in 31 U.S.C. 5318A—special measures one through five—would effectively address the illicit finance threat posed by Vector. Any additional recordkeeping, information collection, or reporting requirements, as described in 31 U.S.C. 5318A(b)(1)–(4), would be insufficient to guard against the risks posed by covered financial institutions processing transmittals of funds involving Vector. Those special measures would allow such transfers to continue to the benefit of illicit actors connected to illicit opioid trafficking. Further, merely prohibiting and/or placing conditions upon the opening or maintaining in the United States of correspondent accounts or payable-through accounts for or on behalf of Vector, as described in 31 U.S.C. 5318A(b)(5), would be similarly inadequate. Neither prohibiting nor imposing conditions on such accounts would safeguard the U.S. financial system to the same degree as prohibiting transmittals of funds, as such a special measure would not address the movement of funds outside of a strict correspondent or payable-through relationship, for example, through the movement of funds outside the traditional banking relationship, which may permit Vector to access USD through indirect correspondent relationships via other foreign financial institutions.

Given Vector's longstanding facilitation of illicit opioid trafficking by Mexico-based DTOs and because transmittals of funds involving Vector do not necessarily have to go through a correspondent account, FinCEN assesses that it is appropriate to more broadly prohibit any transmittals of funds. Because such a prohibition would cut off any transmittal of funds, and not just those conducted through a correspondent or payable-through account, the prohibition on any transmittal of funds involving Vector would more effectively prevent Vector from accessing the U.S. financial system. FinCEN therefore assesses that such a prohibition is the most appropriate special measure to protect the U.S. financial system.

D. Whether the Special Measure Prohibiting Certain Transmittals of Funds Should Be Imposed by Order or Regulation

Pursuant to section 2313a, the Secretary may impose specified special measures, including a prohibition on certain transmittals of funds, ''by order, regulation or otherwise as permitted by law.'' In determining the appropriate approach in this instance, FinCEN considered imposing special measures by order or regulation, taking into account the nature of the underlying threat, and determined that proceeding by an order is the most appropriate course of action given the imminent threats posed by the illicit actors whose transactions and access to funds Vector facilitates, as well as the ongoing transactions associated with suspected activity related to illicit opioid trafficking that continue to be processed through Vector. Further, FinCEN has assessed that this order will not be unduly burdensome or impose new or unique compliance costs on financial institutions.

A copy of this order will be published in the **Federal Register**. To the extent Vector or other parties have information relevant to this order, they may submit it to FinCEN at *frc@fincen.gov.*

V. Order

A. Definitions

1. Vector

The order defines Vector Casa de Bolsa, S.A. de C.V. (Vector) as Vector Casa de Bolsa, S.A. de C.V. and its branches, subsidiaries, and offices located in Mexico. Any branches, subsidiaries, and offices of Vector Casa de Bolsa, S.A. de C.V. operating outside of Mexico, including any such branches, subsidiaries, and offices located in the United States, are expressly excluded from the definition of ''Vector'' for purposes of this order.

[49] *See supra* note 19.

[50] *See supra* note 37; percentage determined by comparing Vector's custodial assets reported by CNBV in December 2024 with total custodial assets reported for brokerage firms by CNBV in December 2024.

[51] *See supra* note 37.

[52] *See supra* note 19.

[53] As noted in section II.A, pursuant to section 2313a, these measures include: (1) the special measures described in 31 U.S.C. 5318A(b), including the imposition of additional recordkeeping, information collection, and reporting requirements on covered U.S. financial institutions and/or the imposition of conditions upon the opening or maintaining of correspondent or payable-through accounts for or on behalf of a foreign banking institution; and (2) the prohibition, or imposition of conditions on, the transmittal of funds.

2. Covered Financial Institution

The order defines covered financial institution as having the same meaning as ''financial institution'' in 31 CFR 1010.100(t).

3. Transmittals of Funds

The order defines transmittals of funds as the sending and receiving of funds, including convertible virtual currency.

4. Meaning of Other Terms

All terms used but not otherwise defined herein shall have the meaning set forth in 31 CFR Chapter X, 31 U.S.C. 5312, and 21 U.S.C. 2302.

B. Prohibition on Transmittals of Funds Involving Vector

A covered financial institution is prohibited from engaging in any transmittal of funds from or to Vector.

C. Order Period

The terms of this order are effective [21 DAYS AFTER PUBLICATION IN THE **FEDERAL REGISTER**], with no cessation date.

D. Reservation of Authority

FinCEN reserves authority to impose conditions on certain transmittals of funds from or to Vector and to grant appropriate exemptions from the requirements of this order.

E. Other Obligations

Nothing in this order shall be construed to modify, impair, or otherwise affect any requirements or obligations to which a covered financial institution is subject pursuant to the BSA, including, but not limited to, the filing of Suspicious Activity Reports (SARs), or other applicable laws or regulations, such as the sanctions administered and enforced by the U.S. Department of the Treasury's Office of Foreign Assets Control.

F. Penalties for Noncompliance

The covered financial institution, and any of its officers, directors, employees, and agents, may be liable for civil or criminal penalties under 31 U.S.C. 5321 and 5322 for violating any of the terms of this order.

G. Validity of Order

Any judicial determination that any provision of this order is invalid shall not affect the validity of any other provision of this order, and each other provision shall thereafter remain in full force and effect.

Andrea M. Gacki,

Director, Financial Crimes Enforcement Network.

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DEPARTMENT OF THE TREASURY

Financial Crimes Enforcement Network

31 CFR Chapter X, Part 1010

Imposition of Special Measure Prohibiting Certain Transmittals of Funds Involving CIBanco S.A., Institución De Banca Multiple

AGENCY: Financial Crimes Enforcement Network (FinCEN), Treasury.

ACTION: Order.

SUMMARY: FinCEN is issuing notice of an order prohibiting certain transmittals of funds involving CIBanco S.A., Institución De Banca Multiple, a financial institution operating outside of the United States determined to be of primary money laundering concern in connection with illicit opioid trafficking.

DATES: This action is effective [21 days after publication in the **Federal Register**].

FOR FURTHER INFORMATION CONTACT: The FinCEN Resource Center at *www.fincen.gov/contact.*

SUPPLEMENTARY INFORMATION:

I. Summary of Order

This order sets forth FinCEN's finding that CIBanco S.A., Institución De Banca Multiple (CIBanco), a Mexico-based commercial bank, is a financial institution operating outside of the United States that is of primary money laundering concern in connection with illicit opioid trafficking—specifically, through its provision of financial services that facilitate illicit opioid trafficking by Mexico-based drug trafficking organizations (DTOs), including (1) the Gulf Cartel, (2) the Beltran-Leyva Organization (BLO) Cartel, and (3) Jalisco New Generation Cartel (CJNG)—and imposes a prohibition on certain transmittals of funds involving CIBanco by any covered financial institution.[1]

II. Background

A. Statutory Provisions

In 2024, Congress enacted the FEND Off Fentanyl Act,[2] which among other things, added 21 U.S.C. 2313a [3] (section 2313a). Section 2313a grants the Secretary of the Treasury (Secretary) the authority to make a finding that ''reasonable grounds exist for concluding'' that any of the following is of primary money laundering concern in connection with illicit opioid trafficking:

(1) One or more financial institutions operating outside of the United States;

(2) One or more classes of transactions within, or involving, a jurisdiction outside of the United States; or

(3) One or more types of accounts within, or involving, a jurisdiction outside of the United States.[4]

Upon making such a finding, the Secretary is authorized to require domestic financial institutions and domestic financial agencies to take certain ''special measures,'' which are safeguards that may be employed to defend the United States financial system from money laundering risks connected to illicit opioid trafficking.[5] The authority of the Secretary to administer section 2313a has been delegated to FinCEN.[6]

Pursuant to section 2313a, the Secretary may impose one or more of six special measures.[7] First, the Secretary may impose any of the five special measures provided for in 31 U.S.C. 5318A(b), commonly known as section 311 of the USA PATRIOT Act.[8] Special measures one through four, codified at 31 U.S.C. 5318A(b)(1)–(4), describe additional recordkeeping, information collection, and reporting requirements. Through these special measures, the Secretary may impose such information collection and reporting requirements on covered domestic financial

[1] The application of FinCEN's authorities in this order is specific to authorities provided by the Fentanyl Sanctions Act and codified at 21 U.S.C. 2313a. It is not intended to otherwise reflect the applicability of, or obligations under, any provision of the Bank Secrecy Act (BSA) or its implementing regulations.

[2] The FEND Off Fentanyl Act is Division E of Public Law 118–50 (Apr. 24, 2024).

[3] Section 2313a codifies section 7213A of the Fentanyl Sanctions Act, as amended by section 3201(a) of the FEND Off Fentanyl Act. The Fentanyl Sanctions Act is Title LXXII of Public Law 116–92 (Dec. 20, 2019).

[4] 21 U.S.C. 2313a(a).

[5] *See* 21 U.S.C. 2313a(a).

[6] In accordance with Treasury Order 101–05 and 31 U.S.C. 321(b)(2), the authority vested in the Secretary under section 2313a has been delegated to the Director of FinCEN.

[7] 21 U.S.C. 2313a(a).

[8] *See* 21 U.S.C. 2313a(a)(1). 21 U.S.C. 2313a(a)(1) explicitly references ''the special measures provided for in section 9714(a)(1) of the National Defense Authorization Act for Fiscal Year 2021 (Pub. L. 116–283; 31 U.S.C. 5318A note)'' (section 9714). Section 9714, in turn, references the five special measures set out in 31 U.S.C. 5318A(b)(1)–(5).

institutions and domestic financial agencies—collectively, ''covered financial institutions.'' [9] Special measure five, codified at 31 U.S.C. 5318A(b)(5), authorizes the Secretary, in consultation with the Secretary of State, the Attorney General, and the Chairman of the Board of Governors of the Federal Reserve System, to prohibit, or impose conditions upon, the opening or maintaining in the United States of correspondent or payable-through accounts by any domestic financial institution or domestic financial agency for, or on behalf of, a foreign banking institution, if such correspondent account or payable-through account involves one or more financial institutions operating outside of the United States that the Secretary has found to be of primary money laundering concern.[10] Special measure six, codified at 21 U.S.C. 2313a(a)(2), allows the Secretary to ''prohibit, or impose conditions upon, certain transmittals of funds (to be defined by the Secretary) by any domestic financial institution or domestic financial agency, if such transmittal of funds involves any such institution, class of transaction, or type of accounts.'' [11]

Importantly, in connection with finding that a financial institution is of primary money laundering concern and imposing any special measure, section 2313a requires a finding that the relevant financial institution is ''of primary money laundering concern in connection with illicit *opioid trafficking*'' (emphasis added). 21 U.S.C. 2302 provides the operative definition of ''opioid trafficking'' for purposes of section 2313a, as any illicit activity:

(1) to produce, manufacture, distribute, sell, or knowingly finance or transport—(a) synthetic opioids, including controlled substances that are synthetic opioids and listed chemicals that are synthetic opioids; or (b) active pharmaceutical ingredients or chemicals that are used in the production of controlled substances that are synthetic opioids;

(2) to attempt to carry out an activity described above; or

(3) to assist, abet, conspire, or collude with other persons to carry out such an activity.[12] For purposes of this order, FinCEN interprets the term ''synthetic opioid'' to include fentanyl and fentanyl analogs, as well as precursors to fentanyl and precursors to fentanyl analogs.[13]

B. Illicit Opioid Trafficking

The sustained influx of fentanyl and other synthetic opioids into the United States has profound consequences, resulting in drug overdose becoming the leading cause of death for people aged 18 to 44 in the United States.[14] To address the synthetic opioid crisis, it is necessary to target the money laundering efforts of the Mexico-based DTOs that are the primary source of fentanyl and other synthetic opioids trafficked into the United States. These DTOs manufacture synthetic opioids in clandestine laboratories in Mexico using precursor chemicals sourced largely from the People's Republic of China (China), traffic these synthetic opioids into and throughout the United States, and launder the illicit profits back to Mexico.[15]

These DTOs could not profit on trafficking fentanyl and other synthetic opioids if not for their ability to launder and remit the monetary proceeds back to Mexico. DTOs and third-party money launderers use a diverse array of methods to launder money, including using financial institutions, remittance payments, bulk cash smuggling, trade-based money laundering, mirror trades, and cryptocurrencies.[16] It is therefore critical to address the role that financial institutions operating outside the United States play in facilitating the money laundering that enables and facilitates the DTOs and their illicit opioid trafficking and related money laundering.

III. Finding That CIBanco Is a Financial Institution Operating Outside the United States That Is of Primary Money Laundering Concern in Connection With Illicit Opioid Trafficking

Based on public and non-public information available to FinCEN, FinCEN finds that reasonable grounds exist to conclude that CIBanco, a financial institution operating outside of the United States, is of primary money laundering concern in connection with illicit opioid trafficking through its provision of financial services that facilitate illicit opioid trafficking by Mexico-based DTOs, including the Gulf Cartel, the BLO Cartel, and CJNG. In making this finding, FinCEN has considered the relevant evidence in light of factors identified in 31 U.S.C. 5318A(c)(2)(B), taking into account the specific circumstances of money laundering activities in connection with illicit opioid trafficking and the protection of U.S. national security and the U.S. financial system. While FinCEN is under no obligation pursuant to section 2313a to consider any particular factor or set of factors when making a finding that a financial institution operating outside of the United States is of primary money laundering concern in connection with illicit opioid trafficking, it nonetheless finds these factors instructive in guiding the analysis set forth below.[17]

[9] 31 U.S.C. 5318A(b)(1)–(4).

[10] 31 U.S.C. 5318A(b)(5).

[11] 21 U.S.C. 2313a(a)(2).

[12] 21 U.S.C. 2302(8).

[13] *See, e.g.,* Drug Enforcement Administration, *Synthetic Opioids Fact Sheet* (Dec. 2024), *https://www.dea.gov/sites/default/files/2025-01/Synthetic-Opioids-Drug-Fact-Sheet.pdf;* World Health Organization, *Opioid Overdose* (Aug. 29, 2023), *https://www.who.int/news-room/fact-sheets/detail/opioid-overdose; see also* Drug Enforcement Administration, Docket No. DEA–1086, *Special Surveillance List of Chemicals, Products, Materials and Equipment Used in the Manufacture of Controlled Substances and Listed Chemicals* (Oct. 24, 2023), *https://www.govinfo.gov/content/pkg/FR-2023-10-24/pdf/2023-23478.pdf.*

[14] *See* Centers for Disease Control, *CDC Reports Nearly 24% Decline in U.S. Drug Overdose Deaths* (Feb. 25, 2025), *https://www.cdc.gov/media/releases/2025/2025-cdc-reports-decline-in-us-drug-overdose-deaths.html;* E.O. 14159, *Imposing Duties To Address the Synthetic Opioid Supply Chain in the People's Republic of China,* 90 FR 9121 (Feb. 7, 2025), *https://www.federalregister.gov/documents/2025/02/07/2025-02408/imposing-duties-to-address-the-synthetic-opioid-supply-chain-in-the-peoples-republic-of-china.*

[15] *See* Drug Enforcement Administration, DEA–DCT–DIR–010–24, *2024 National Drug Threat Assessment* (May 2024), pp. 46–50, *https://www.dea.gov/sites/default/files/2024-05/5.23.2024%20NDTA-updated.pdf;* FinCEN, FIN–2024–A002, *Supplemental Advisory on the Procurement of Precursor Chemicals and Manufacturing Equipment Used for the Synthesis of Illicit Fentanyl and Other Synthetic Opioids* (June 20, 2024), *https://www.fincen.gov/sites/default/files/advisory/2024-06-20/FinCEN-Supplemental-Advisory-on-Fentanyl-508C.pdf;* Congressional Research Service, *Illicit Fentanyl and Mexico's Role* (Dec. 19, 2024), pp.1–2, *https://crsreports.congress.gov/product/pdf/IF/IF10400.*

[16] *See* Drug Enforcement Administration, DEA–DCT–DIR–010–24, *2024 National Drug Threat Assessment* (May 2024), pp. 46–50, *https://www.dea.gov/sites/default/files/2024-05/5.23.2024%20NDTA-updated.pdf.*

[17] 31 U.S.C. 5318A(c)(2)(B) provides, as relevant here, that in making a finding that reasonable grounds exist for concluding that a financial institution outside the United States is of primary money laundering concern and to apply one or more of special measures one through four to such a financial institution, the Secretary shall consider such information as the Secretary determines to be relevant, including the following potentially relevant factors:

(1) the extent to which such financial institutions, transactions, or types of accounts are used to facilitate or promote money laundering in or through the jurisdiction, including any money laundering activity by organized criminal groups, international terrorists, or entities involved in the proliferation of weapons of mass destruction or missiles;

(2) the extent to which such institutions, transactions, or types of accounts are used for legitimate business purposes in the jurisdiction; and

(3) the extent to which such action is sufficient to ensure, with respect to transactions involving the jurisdiction and institutions operating in the

Continued

A. CIBanco Is a Financial Institution Operating Outside the United States

CIBanco is a Mexico-based commercial bank. By its own account, CIBanco offers various banking products and services to individuals and entities in Mexico, including term deposits in U.S. dollars (USD), certificates of deposit, money market instruments, checking accounts, car loans, business credit, and credit cards. It also provides foreign trade, trust, investment, securities, and currency exchange services.[18] According to commercially available bank data, CIBanco is headquartered in Mexico City, Mexico, and as of 2024 had over 200 known branches in Mexico and was the majority owner of two non-depository finance companies: Finanmadrid Mexico, S.A. de C.V. and CI Fondos S.A. de C.V.[19] According to public and non-public information, CIBanco provides USD correspondent relationships banking services through two U.S. financial institutions.[20] Considering the services it provides, CIBanco is a financial institution within the meaning of 31 U.S.C. 5312(a)(2), and based on the foregoing, FinCEN has determined that CIBanco is a financial institution operating outside of the United States, as described in section 2313a.

B. CIBanco Is a Financial Institution of Primary Money Laundering Concern in Connection With Illicit Opioid Trafficking

FinCEN has considered the extent to which accounts at CIBanco are used to ''facilitate or promote money laundering,'' including in connection with organized criminal groups associated with illicit opioid trafficking.[21] Based on information available to FinCEN, FinCEN has determined that CIBanco has a history of ties to international DTOs and facilitation of transactions on their behalf. CIBanco's exposure to, and facilitation of, transactions associated with suspected illicit opioid trafficking-related activities is consistent with its long-standing pattern of associations with and conducting transactions for the Gulf Cartel, the BLO Cartel, and CJNG, all of whom are DTOs designated by Treasury's Office of Foreign Assets Control (OFAC),[22] and as of February 20, 2025, two of whom are also designated as foreign terrorist organizations (FTOs) pursuant to section 219 of the Immigration and Nationality Act (INA), as amended.[23]

1. CIBanco Provided Financial Services That Benefitted DTOs, Including the Gulf Cartel, the BLO Cartel, and CJNG

a. The Gulf Cartel

On February 20, 2025, the Department of State designated the Gulf Cartel as a foreign terrorist organization.[24] The Gulf Cartel receives fentanyl produced by partner cartels and moves it into the United States.[25] Illicit opioid traffickers affiliated with the Gulf Cartel have been convicted in the United States. For example, in 2023, an individual operating on behalf of the Gulf Cartel pleaded guilty to international drug trafficking and money laundering conspiracy involving the trafficking of six kilograms of fentanyl, along with other illicit narcotics, for which 15 other individuals were also convicted as part of the conspiracy.[26] In December 2024, the Department of Justice described the Gulf Cartel as ''one of Mexico's oldest criminal syndicates, engaging in drug trafficking, violence, human smuggling, and more.'' [27]

Gulf Cartel-linked money launderers seeking to evade detection from law enforcement and regulatory authorities have sought services from CIBanco. For example, in the beginning half of 2023, a CIBanco employee knowingly facilitated the creation of an account to purportedly launder USD 10 million on behalf of a Gulf Cartel member. FinCEN assesses that this account likely facilitated illicit opioid trafficking by the Gulf Cartel.

b. The BLO Cartel and CJNG

In 2023, OFAC designated 15 individuals and two entities as SDNs under E.O. 14059 and described the BLO Cartel as ''one of the most powerful drug trafficking organizations in the world'' and as being ''heavily involved in the transportation and distribution of deadly drugs, including fentanyl, to the United States.'' [28] In 2021, the Drug Enforcement Administration (DEA) included the BLO Cartel in a list of Mexican criminal organizations with the ''the greatest drug trafficking impact on the United States.'' [29] The BLO Cartel was designated as an SDN under E.O. 14059 in 2021,[30] and was designated as a significant foreign narcotics trafficker pursuant to the Foreign Narcotics Kingpin Designation Act (Kingpin Act) in 2008.[31] Moreover, on April 9, 2025,

jurisdiction, that the purposes of this subchapter continue to be fulfilled, and to guard against international money laundering and other financial crimes.

[18] *See* CIBanco's homepage, *https://www.cibanco.com* (last accessed Jun. 02, 2025).

[19] *See* BankCheck Profile for CIBanco, *https://bankcheck.app* (last accessed Feb. 26, 2025).

[20] *Id.*

[21] *See* 31 U.S.C. 5318A(c)(2)(B)(i).

[22] OFAC, Press Release, *Treasury Uses New Sanctions Authority to Combat Global Illicit Drug Trade* (Dec. 15, 2021), *https://home.treasury.gov/news/press-releases/jy0535.*

[23] Department of State, *Designation of International Cartels Fact Sheet, https://www.state.gov/designation-of-international-cartels/* (last accessed Feb. 27, 2025); *see also* Department of State, *Foreign Terrorist Organization Designations of Tren de Aragua, Mara Salvatrucha, Cartel de Sinaloa, Cartel de Jalisco Nueva Generación, Carteles Unidos, Cartel del Noreste, Cartel del Golfo, and La Nueva Generacion, Carteles Unidos, Cartel del Noreste, Cartel del Golfo, and La Nueva Familia Michoacana,* 90 FR 10030–31 (Feb. 20, 2025), *https://www.govinfo.gov/content/pkg/FR-2025-02-20/pdf/2025-02873.pdf;* Department of State, *Specially Designated Global Terrorist Designations of Tren de Aragua, Mara Salvatrucha, Cartel de Sinaloa, Cartel de Jalisco Nueva Generación, Carteles Unidos, Cartel del Noreste, Cartel del Golfo, and La Nueva Familia Michoacana,* 90 FR 10030 (Feb. 20, 2025), *https://www.govinfo.gov/content/pkg/FR-2025-02-20/pdf/2025-02873.pdf;* 8 U.S.C. 1189 (codifying section 219 of the Immigration and Nationality Act).

[24] Department of State, Public Notice 12672, *Foreign Terrorist Organization Designations of Tren de Aragua, Mara Salvatrucha, Cartel de Sinaloa, Cartel de Jalisco Nueva Generacion, Carteles Unidos, Cartel del Noreste, Cartel del Golfo, and La Nueva Familia Michoacana,* 90 FR 10030–31, (Feb. 20, 2025), *https://www.govinfo.gov/content/pkg/FR-2025-02-20/pdf/2025-02873.pdf.* OFAC had previously designated the Gulf Cartel under its authorities in 2007 and 2021. *See* OFAC, Press Release, *Treasury Uses New Sanctions Authority to Combat Global Illicit Drug Trade* (Dec. 15, 2021), *https://home.treasury.gov/news/press-releases/jy0535;* The White House, Press Release, *Presidential Designation of Foreign Narcotics Kingpins* (June 1, 2007), *https://georgewbush-whitehouse.archives.gov/news/releases/2007/06/20070601-23.html;* OFAC, *Kingpin Act Update* (June 1, 2007), *https://ofac.treasury.gov/recent-actions/20070601.*

[25] S. Dudley and P. Asmann, ''Gulf Cartel Still 'Public Enemy No. 1' on U.S.-Mexico Border: Homeland Security,'' *InSight Crime* (May 18, 2023), *https://insightcrime.org/news/interview/gulf-cartel-public-enemy-us-mexico-border-homeland-security/.*

[26] Drug Enforcement Administration, Press Release, *Money Launderer for Cartel Sent to Prison* (Dec. 13, 2023), *https://www.dea.gov/press-releases/2023/12/13/money-launderer-cartel-sent-prison;* IRS, Press Release, *Money launderer for cartel sent to prison* (Dec. 12, 2023), *https://www.irs.gov/compliance/criminal-investigation/money-launderer-for-cartel-sent-to-prison.*

[27] U.S. Attorney's Office, Southern District of Texas, Press Release, *Gulf Cartel Drug Trafficker Sent to Prison Following Major Cocaine and Cash Seizures* (Dec. 18, 2024), *https://www.justice.gov/usao-sdtx/pr/gulf-cartel-drug-trafficker-sent-prison-following-major-cocaine-and-cash-seizures.*

[28] Treasury, Press Release, *Secretary Yellen Announces Treasury Sanctions Against New Generation of Violent Drug Trafficking Beltrán Leyva Organization* (Dec. 3, 2023), *https://home.treasury.gov/news/press-releases/jy1952.*

[29] Drug Enforcement Administration, DEA–DCT–DIR–008–21, *2020 National Drug Threat Assessment* (Mar. 2021), p. 66, *https://www.dea.gov/sites/default/files/2021-02/DIR-008-21%202020%20National%20Drug%20Threat%20Assessment_WEB.pdf.*

[30] OFAC, Press Release, *Treasury Uses New Sanctions Authority to Combat Global Illicit Drug Trade* (Dec. 15, 2021), *https://home.treasury.gov/news/press-releases/jy0535.*

[31] OFAC, Press Release, *Treasury Designates Individuals and Companies Tied to the Beltran*

OFAC sanctioned Jesus Alfredo Beltran Guzman, a key leader of the BLO Cartel, for playing a significant role in the trafficking of illicit drugs, including fentanyl, into the U.S.[32]

In 2024, the DEA stated that CJNG, along with the Sinaloa Cartel, was ''at the heart'' of the synthetic opioid crisis, using its global supply chain network to gain access to the pill presses and precursor chemicals needed to manufacture synthetic opioid in Mexico for distribution in the United States.[33] The DEA described the CJNG Cartel as ''one of the largest producers and traffickers of illicit fentanyl, in both powder and pill form, to the United States.'' [34] DEA further stated:

> Although the Jalisco Cartel [CJNG] cannot match the Sinaloa Cartel's fentanyl production capacity, they have flooded American streets with fentanyl, often mixed with other drugs like heroin, cocaine, and xylazine. The cartel has its own connections to precursor chemical suppliers in China for the production of fentanyl and methamphetamine and exerts control over a number of seaports for importing the chemicals. They also control an extensive network of smuggling routes into the United States, and lucrative distribution hubs in major U.S. cities like Atlanta, Georgia.[35]

In 2015, the CJNG Cartel was designated by OFAC as an SDNT pursuant to the Kingpin Act and later designated under E.O. 14059 in 2021.[36] Under the latter, OFAC described the cartel as ''one of the most powerful cartels in Mexico and one of the five most dangerous transnational criminal organizations in the world, according to the Department of Justice. The [DEA] reports that CJNG traffics a significant proportion of the fentanyl and other deadly drugs that enter the United States. CJNG uses extreme violence against rivals and Mexican authorities to expand and maintain territory in strategic drug trafficking corridors.'' [37]

CJNG- and BLO-linked money launderers seeking to evade detection from law enforcement and regulatory authorities have sought out services from CIBanco. For example, between August and September 2024, Mexico-based money brokers working on behalf of BLO Cartel and CJNG coordinated the movement of up to the equivalent of USD 26,000 in illicit funds to CIBanco. FinCEN assesses that these transactions likely facilitated illicit opioid trafficking by BLO Cartel and CJNG.

2. CIBanco Processed Funds Transfers on Behalf of Exporters and Importers of Synthetic Opioid-Related Precursor Chemicals

Based on non-public information available to FinCEN, FinCEN has determined that CIBanco has a history of facilitating USD transactions that finance the importation of precursor chemicals used to produce illicit synthetic opioids on behalf of DTOs.

In the United States, precursor chemicals are substances regulated by the DEA in order to prevent the illicit manufacture of controlled substances. As of December 2024, most U.S.-destined illicit fentanyl appears to be produced in clandestine labs in Mexico, using precursor chemicals imported from China.[38] Although the Mexican and Chinese governments have established controls on multiple precursor chemicals, China-based suppliers remain the main source for precursor chemicals used by DTOs in Mexico to produce illicit opioids.[39]

Furthermore, DTOs are known to employ transnational funds transfer services via various financial institutions and agencies, including, but not limited to, banks, money services businesses, and online payment processors, to drive illicit opioid-related financial flows.[40] A common method employed by DTOs to obfuscate illicit opioid trafficking-related payments includes using shell and front companies to disguise the origin of illicit funds.[41] [42] FinCEN assesses that these same methods are being used by DTOs to import precursor chemicals from China into Mexico under the guise of legitimate business transactions, which are facilitated by CIBanco.

Based on nonpublic information, FinCEN assesses that CIBanco has been instrumental in facilitating payments on behalf of Mexico-based companies involved in the procurement of precursor chemicals for illicit purposes. Examples of CIBanco's facilitation of payments in furtherance of illicit opioid trafficking include, but are not limited to, the instances below.

From 2012 through 2018, Mexico and U.S. law enforcement seized at least four shipments associated with a Mexico-based company that contained precursor chemicals or illicit drugs including methamphetamine. From 2016 through 2024, this Mexico-based company sent over 40 wires totaling over USD 200,000 to shipping companies based in countries including Japan and South Korea through CIBanco.

In mid-2019, a CJNG precursor chemical broker facilitated an order of dimethyl carbonate from a China-based chemical supplier to a second Mexico-based company. From 2022 through 2024, the second Mexico-based company was associated with more than 150 funds transfers totaling over USD 100 million involving industrial companies based in countries including Taiwan and Switzerland through CIBanco.

In late 2019, Germany- and China-based precursor chemical brokers likely facilitated a shipment of hydroxylamine hydrochloride through a third Mexico-based company for a CJNG-affiliated precursor chemical broker based on

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Leyva Organization Under the Kingpin Act (Dec. 3, 2009), *https://home.treasury.gov/news/press-releases/tg426;* OFAC, *Kingpin Act Designation* (May 30, 2008), *https://ofac.treasury.gov/recent-actions/20080530;* The White House, Press Release, *Presidential Designation of Foreign Narcotics Kingpins* (May 30, 2008), *https://georgewbush-whitehouse.archives.gov/news/releases/2008/05/20080530-5.html.*

[32] OFAC, Press Release, *Treasury Targets Key Leader of Violent Mexican Drug Trafficking Organization Implicated in Record-Breaking Seizure of Fentanyl* (Apr. 2025), *https://home.treasury.gov/news/press-releases/sb0076.*

[33] Drug Enforcement Administration, DEA–DCT–DIR–010–24, *2024 National Drug Threat Assessment* (May 2024), *https://www.dea.gov/sites/default/files/2024-07/2024%20NDTA-updated%207.5.2024.pdf.*

[34] *Id.* at 13.

[35] *Id.* at 16.

[36] OFAC, Press Release, *Treasury Uses New Sanctions Authority to Combat Global Illicit Drug Trade* (Dec. 15, 2021), *https://home.treasury.gov/news/press-releases/jy0535*; OFAC, Press Release, *Treasury Sanctions Two Major Mexican Drug Organizations and Two of Their Leaders* (Apr. 8, 2015), *https://home.treasury.gov/news/press-releases/jl10020.*

[37] OFAC, Press Release, *Treasury Uses New Sanctions Authority to Combat Global Illicit Drug Trade* (Dec. 15, 2021), *https://home.treasury.gov/news/press-releases/jy0535.*

[38] Congressional Research Service, *Illicit Fentanyl and Mexico's Role* (Dec. 19, 2024), *https://crsreports.congress.gov/product/pdf/IF/IF10400/13.*

[39] Drug Enforcement Administration, DEA–DCT–DIR–010–24, *National Drug Threat Assessment 2024* (May 2024), p. 7, *https://www.dea.gov/sites/default/files/2025-02/508_5.23.2024%20NDTA-updated.pdf;* FinCEN, FIN–2024–A002, *Supplemental Advisory on the Procurement of Precursor Chemicals and Manufacturing Equipment Used for the Synthesis of Illicit Fentanyl and Other Synthetic Opioids* (Jun. 20, 2024), pp. 2–6, *https://www.fincen.gov/sites/default/files/advisory/2024-06-20/FinCEN-Supplemental-Advisory-on-Fentanyl-508C.pdf.*

[40] *See* Congressional Research Service, *Illicit Fentanyl and Mexico's Role* (Dec. 19, 2024), pp. 1–2, *https://crsreports.congress.gov/product/pdf/IF/IF10400/12.*

[41] Shell companies are businesses that exist only as an entity through which money may be transferred to hide beneficial ownership. Front companies operate mostly as normal businesses; however, DTOs commingle drug proceeds with the legitimate revenue from the front company in an effort to disguise them. Drug Enforcement Administration, DEA–DCT–DIR–008–21, *2020 National Drug Threat Assessment* (Mar. 2021), p. 88, *https://www.dea.gov/sites/default/files/2021-02/DIR-008-21%202020%20National%20Drug%20Threat%20Assessment_WEB.pdf.*

[42] Drug Enforcement Administration, DEA–DCT–DIR–010–24, *National Drug Threat Assessment 2024* (May 2024), p. 47, *https://www.dea.gov/sites/default/files/2025-02/508_5.23.2024%20NDTA-updated.pdf.*

prior similar arrangements. From 2016 through 2022, the third Mexico-based company sent over 150 funds transfers totaling over USD 130,000 to industrial companies in the U.S. and Mexico through CIBanco. FinCEN assesses that based on prior involvement in the procurement of precursor chemicals for CJNG-affiliated chemical brokers, transactions facilitated for the aforementioned Mexico-based companies were likely in tandem with illicit opioid trafficking operations.

Since at least 2019, over 20 China-based companies, including three with activity highlighted below, were known to have shipped precursor chemicals to Mexico for illicit purposes. Based on information available to FinCEN, the following payments are assessed to be related to illicit opioid trafficking:

- From December 2021 to October 2022, CIBanco clients originated over 10 funds transfers totaling more than USD 600,000 to a company located in China.
- From December 2022 to January 2023, CIBanco clients originated at least nine funds transfers totaling more than USD 935,000 to a second company located in China.
- From December 2020 to October 2024, CIBanco clients originated at least 12 funds transfers totaling more than USD 600,000 to a third company located in China.

Based on non-public information, as well as the volume and dollar amount of funds transfers that CIBanco processed over several years with these companies, FinCEN assesses that such transactions likely facilitated illicit opioid trafficking by Mexico-based DTOs.

C. The Extent To Which CIBanco Is Used for Legitimate Business Activity

In reaching its finding, FinCEN has considered the extent to which CIBanco is used for legitimate business purposes.[43] According to Mexico's National Banking Securities Commission (CNBV), as of February 2025, CIBanco is one of 51 registered banking institutions in Mexico.[44] CIBanco is the 20th largest financial institution in Mexico, with MXN 142.389 billion (USD 7.04 billion) in total assets, as of December 2024, and two U.S. correspondents.[45] As of 2024, CIBanco's total assets represented 0.94 percent of bank assets in Mexico.[46] By comparison, the assets of the two largest Mexico-based banks in 2024 represented 22.25 percent with MXN 3.384 trillion (USD 167.22 billion) and 13.19 percent with MXN 2.006 trillion (USD 99.15 billion), respectively, of bank assets in Mexico.[47]

FinCEN has also assessed CIBanco's expressed anti-money laundering (AML) policies, including its 2023 Report on Sustainability. In this report, CIBanco asserts having a money laundering prevention system screening all operations carried out by their clients in registration, transactional, and post-transactional processes.[48] FinCEN has not independently examined CIBanco's AML policies or programs or otherwise corroborated the existence or efficacy of such programs. Regardless, even if CIBanco has some AML policies and programs, given the evidence described in this Order and the totality of the circumstances, this does not alter FinCEN's overall determination that CIBanco is of primary money laundering concern.

Moreover, FinCEN assesses that CIBanco's access to USD is used to facilitate illicit finance by DTOs who seek to circumvent AML and countering the financing of terrorism (CFT) obligations and obfuscate the source of funds or their intended use, and ultimately to support the enterprise of illicit opioid trafficking. Although CIBanco has a significant presence across Mexico and offers services used by licit actors, other banks provide similar services, including access to U.S. banks via direct correspondent banking relationships, that provide for appropriate transparency and can support international efforts to protect the integrity of the international financial system. Further, compliance with the prohibition on certain transmittals of funds set out in this order requires no tools or competencies other than those already employed by domestic financial institutions to maintain their current AML/CFT compliance programs. Accordingly, given the flows of illegitimate funds through CIBanco, FinCEN assesses that the need to protect U.S. financial institutions from the money laundering risks presented by CIBanco outweighs any potential legitimate utility its services may provide.

D. The Extent To Which This Action Would Guard Against International Money Laundering and Other Financial Crimes Associated With Illicit Opioid Trafficking

A finding that CIBanco is of primary money laundering concern in connection with illicit opioid trafficking establishes—and emphasizes—the significant illicit finance risks posed by CIBanco's provision of financial services that facilitate illicit opioid trafficking by Mexico-based DTOs. This finding will place U.S. and foreign financial institutions and regulators on notice to guard against those risks.[49] Moreover, such a finding—in combination with a prohibition on certain transmittals of funds involving CIBanco by covered financial institutions—will safeguard the U.S. financial system, by severing CIBanco's access.

IV. Imposition of a Special Measure Prohibiting Certain Transmittals of Funds Involving CIBanco

Having found that CIBanco is a financial institution operating outside of the United States that is of primary money laundering concern in connection with illicit opioid trafficking, FinCEN has determined that the imposition of a special measure prohibiting certain transmittals of funds involving CIBanco is warranted.[50] In making this determination and assessing which special measures may be appropriate, FinCEN has considered the relevant evidence in light of factors identified in 31 U.S.C. 5318A(a)(4)(B).

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[43] *See* 31 U.S.C. 5318A(c)(2)(B)(ii).

[44] National Banking and Securities Commission, Registry of Supervised Entities on Multiple Banking Institutions, *https://www.cnbv.gob.mx/Paginas/PADR%C3%93N-DE-ENTIDADES-SUPERVISADAS.aspx* (last accessed Feb. 21, 2025).

[45] Ranking determined by comparing CIBanco's total assets reported by CNBV in December 2024 with the total assets reported for banks in Mexico by CNBV in December 2024. *See* Government of Mexico, CNBV, *Banca Múltiple* (Dec. 2024) *document available for export at https://portafolioinfo.cnbv.gob.mx/Paginas/Contenidos.aspx?ID=40&Titulo=Banca%20M%C3%BAltiple* (last accessed Feb. 28, 2025); *see also supra* note 19 for Payments Information section of BankCheck Profile for CIBanco.

[46] Percentage determined by comparing CIBanco's total assets reported by CNBV in December 2024 with total assets reported for banks by CNBV in December 2024. *See* Government of Mexico, CNBV, *Banca Múltiple* (Dec. 2024) *document available for export at https://portafolioinfo.cnbv.gob.mx/Paginas/Contenidos.aspx?ID=40&Titulo=Banca%20M%C3%BAltiple* (last accessed Feb. 28, 2025).

[47] Government of Mexico, CNBV, *Banca Múltiple* (Dec. 2024) *document available for export at https://portafolioinfo.cnbv.gob.mx/Paginas/Contenidos.aspx?ID=40&Titulo=Banca%20M%C3%BAltiple* (last accessed Feb. 28, 2025).

[48] CIBanco, 2023 Sustainability Report, p. 28, *available for export at https://cop-report.unglobalcompact.org/COPViewer/2024?responseId=R_20HIewXAIVM4DYu* (last accessed Apr. 14, 2025).

[49] *See* 31 U.S.C. 5318A(c)(2)(B)(iii).

[50] In connection with this action, and consistent with 31 U.S.C. 5318A(a)(4)(A), FinCEN consulted with staff at the following Departments and agencies with regard to the proposed order and prohibition: the Department of Justice; the Department of State; the Board of Governors of the Federal Reserve System; the Federal Deposit Insurance Corporation; the Securities and Exchange Commission; the Commodity Futures Trading Commission; the Office of the Comptroller of the Currency; and the National Credit Union Administration. None of the Departments or agencies objected to the issuance of this order based on the information provided to staff at the time of this consultation.

While FinCEN is under no obligation pursuant to section 2313a to consider any particular factor or set of factors in selecting one or more special measures, it nonetheless finds these factors instructive in guiding the analysis set forth below.[51]

A. Whether the Prohibition on Certain Transmittals of Funds Involving CIBanco Will Address the Money Laundering Concern in a Manner Consistent With U.S. National Security and Foreign Policy Interests

FinCEN has considered the effect this action will have on U.S. national security and foreign policy, as well as the extent to which multilateral groups or other nations have taken similar actions.[52] Given CIBanco's association with DTOs and other actors engaged in illicit opioid trafficking, FinCEN assesses that imposing a prohibition on certain transmittals of funds involving CIBanco is necessary to safeguard U.S. national security and the U.S. financial system, as well as serve key U.S. national security objectives.[53] A prohibition on certain transmittals of funds involving CIBanco will also further ongoing U.S. efforts to curtail illicit opioid trafficking—including the manufacture of synthetic opioids—and related financial transactions that facilitate the laundering of the proceeds of their distribution. Targeting the illicit proceeds of drug traffickers and DTOs, especially those with a nexus to illicit opioids—like the Gulf and BLO Cartels, and CJNG—is a high priority for the United States. And, for that reason, recent actions by OFAC and the Department of State have focused on DTOs affiliated with opioid-related illicit finance threats, including the February 20, 2025, designation of certain DTOs—including the Gulf Cartel and CJNG—as FTOs, under E.O. 13224.[54] Publicly countering a financing mechanism used by these illicit entities by prohibiting certain transmittals of funds involving CIBanco will serve the national security and financial system of the United States by further deterring and curtailing illicit opioid trafficking, along with the activities of DTOs and FTOs. Similarly, such a prohibition would sever a pathway that may facilitate circumvention of U.S. economic sanctions, increasing the efficacy of those sanctions and complementing previous actions taken by the U.S. government.

Moreover, this action reinforces the expectations of AML/CFT compliance in the financial system, highlighting the importance of identifying and reporting suspicious activity by financial institutions around the world. With respect to the illicit finance risks posed by CIBanco, that is of particular importance, as no multilateral groups and no other nations have yet acted to address those risks.

B. Whether the Prohibition on Certain Transmittals of Funds Involving CIBanco Would Create a Significant Competitive Disadvantage, Including Through Imposing Undue Burdens on Legitimate Activity of CIBanco or Third Parties

FinCEN has considered whether the imposition of special measure six would create a significant competitive disadvantage, including any undue cost or burden associated with compliance, for financial institutions organized or licensed in the United States, as well as the extent to which the action could have a significant adverse systemic impact on legitimate business activities involving CIBanco.[55] FinCEN assesses that prohibiting certain transmittals of funds involving CIBanco would impose a relatively limited burden on legitimate activities currently transacted through CIBanco or the legitimate activities of third parties impacted by this order, as similar services are offered by other financial institutions in Mexico, and third parties will have sufficient capability to ensure compliance.

As noted above, CIBanco is the 20th largest financial institution in Mexico, with MXN 142.389 billion (USD 7.04 billion) in total assets, as of December 2024, and two U.S. correspondents.[56] As of 2024, CIBanco's total assets represented 0.94 percent of bank assets in Mexico.[57] By comparison, the assets of the two largest Mexico-based banks in 2024 represented 22.25 percent with MXN 3.384 trillion (USD 167.22 billion) and 13.19 percent with MXN 2.006 trillion (USD 99.15 billion), respectively, of bank assets in Mexico.[58] FinCEN assesses that given CIBanco's size compared to the largest financial institutions in Mexico and the array of correspondent relationships between U.S. and Mexican financial institutions, the macroeconomic impact of prohibiting certain transmittals of funds involving CIBanco would be negligible. Indeed, given its size and limited international presence, the legitimate business services that it offers would be readily available through other regulated institutions. Although this order represents one of the first issuances of an order under section 2313a, FinCEN has afforded financial institutions an additional 21 days to prepare for the prohibition and, regardless, assesses that this action would not impose any undue cost or burden for financial institutions, as covered financial institutions would be positioned to readily incorporate the requirements of this order into their compliance programs.

[51] 31 U.S.C. 5318A(a)(4)(B) provides, as relevant here, that in selecting which special measure(s) to take, the Secretary shall consider:

(1) whether similar action has been or is being taken by other nations or multilateral groups;

(2) whether the imposition of any particular special measure would create a significant competitive disadvantage, including any undue cost or burden associated with compliance, for financial institutions organized or licensed in the United States;

(3) the extent to which the action or the timing of the action would have a significant adverse systemic impact on the international payment, clearance, and settlement system, or on legitimate business activities involving the particular jurisdiction, institution, class of transactions, or type of account; and

(4) the effect of the action on United States national security and foreign policy.

[52] 31 U.S.C. 5318A(a)(4)(B)(i), (iv).

[53] National Security Memorandum/NSM–24, DCPD–202400663, *National Security Memorandum on Prioritizing the Strategic Disruption of the Supply Chain for Illicit Fentanyl and Synthetic Opioids Through a Coordinated, Whole-of-Government, Information-Driven Effort* (July 31, 2024), *https://www.govinfo.gov/app/details/DCPD-202400663;* Treasury, *2024 National Strategy for Combating Terrorist and Other Illicit Financing* (May 2024), *https://home.treasury.gov/system/files/136/2024-Illicit-Finance-Strategy.pdf;* Drug Enforcement Administration, DEA–DCT–DIR–010–24, *National Drug Threat Assessment 2024* (May 2024), *https://www.dea.gov/sites/default/files/2024-05/5.23.2024%20NDTA-updated.pdf.*

[54] Department of State, Public Notice 12672, *Foreign Terrorist Organization Designations of Tren de Aragua, Mara Salvatrucha, Cartel de Sinaloa, Cartel de Jalisco Nueva Generacion, Carteles Unidos, Cartel del Noreste, Cartel del Golfo, and La Nueva Familia Michoacana* (Feb. 20, 2025), *https://www.federalregister.gov/documents/2025/02/20/2025-02873/foreign-terrorist-organization-designations-of-tren-de-aragua-mara-salvatrucha-cartel-de-sinaloa.*

[55] *See* 31 U.S.C. 5318A(a)(4)(B)(ii), (iii).

[56] Ranking determined by comparing CIBanco's total assets reported by CNBV in December 2024 with the total assets reported for banks in Mexico by CNBV in December 2024. *See* Government of Mexico, CNBV, *Banca Múltiple* (Dec. 2024) *document available for export at https://portafolioinfo.cnbv.gob.mx/Paginas/Contenidos.aspx?ID=40&Titulo=Banca%20M%C3%BAltiple,* (last accessed Feb. 28, 2025); *see also supra* note 19 for BankCheck Profile for CIBanco.

[57] Percentage determined by comparing CIBanco's total assets reported by CNBV in December 2024 with total assets reported for banks by CNBV in December 2024. *See* Government of Mexico, CNBV, *Banca Múltiple* (Dec. 2024) *document available for export at https://portafolioinfo.cnbv.gob.mx/Paginas/Contenidos.aspx?ID=40&Titulo=Banca%20M%C3%BAltiple,* (last accessed Feb. 28, 2025).

[58] Government of Mexico, CNBV, *Banca Múltiple* (Dec. 2024) *document available for export at https://portafolioinfo.cnbv.gob.mx/Paginas/Contenidos.aspx?ID=40&Titulo=Banca%20M%C3%BAltiple,* (last accessed Feb. 28, 2025).

C. Whether Any Other Reasonable Alternatives or Special Measures Would Adequately Address the Money Laundering Concern

In imposing a prohibition on certain transmittals of funds, FinCEN considered other available special measures [59] and, after due consideration, has determined that a special measure prohibiting certain transmittals of funds involving CIBanco is the appropriate means to adequately address the illicit finance risk that CIBanco poses.

None of the special measures set out in 31 U.S.C. 5318A—special measures one through five—would effectively address the illicit finance threat posed by CIBanco. Any additional recordkeeping, information collection, or reporting requirements, as described in 31 U.S.C. 5318A(b)(1)–(4), would be insufficient to guard against the risks posed by covered financial institutions processing transmittals of funds involving CIBanco. Those special measures would allow such transfers to continue to the benefit of illicit actors connected to illicit opioid trafficking. Further, merely prohibiting and/or placing conditions upon the opening or maintaining in the United States of correspondent accounts or payable-through accounts for or on behalf of CIBanco, as described in 31 U.S.C. 5318A(b)(5), would be similarly inadequate. Neither prohibiting nor imposing conditions on such accounts would safeguard the U.S. financial system to the same degree as prohibiting transmittals of funds, as such a special measure would not address the movement of funds outside of a strict correspondent or payable-through relationship. Furthermore, the longevity and frequency of the illicit opioid trafficking related transactional activity indicates that CIBanco lacks effective AML/CFT oversight or has chosen not to take action to impede illicit finance, which would not be addressed through application of conditions upon the opening or maintaining of the aforementioned types of accounts.[60]

Given CIBanco's longstanding facilitation of illicit opioid trafficking by Mexico-based DTOs and because transmittals of funds involving CIBanco do not necessarily have to go through a correspondent account, FinCEN assesses that it is appropriate to more broadly prohibit any transmittal of funds. Because such a prohibition would cut off any transmittal of funds, and not just those conducted through a correspondent or payable-through account, the prohibition on any transmittal of funds involving CIBanco would more effectively prevent CIBanco from accessing the U.S. financial system. FinCEN therefore assesses that such a prohibition is the most appropriate special measure to protect the U.S. financial system.

D. Whether the Special Measure Prohibiting Certain Transmittals of Funds Should be Imposed by Order or Regulation

Pursuant to section 2313a, the Secretary may impose specified special measures, including a prohibition on certain transmittals of funds, ''by order, regulation or otherwise as permitted by law.'' In determining the appropriate approach in this instance, FinCEN considered imposing special measures by order or regulation, taking into account the nature of the underlying threat, and determined that proceeding by an order is the most appropriate course of action given the imminent threats posed by the illicit actors whose transactions and access to funds CIBanco facilitates, as well as the ongoing transactions associated with suspected activity related to illicit opioid trafficking that continue to be processed through CIBanco. Further, FinCEN has assessed that this order will not be unduly burdensome or impose new or unique compliance costs on financial institutions.

A copy of this order will be published in the **Federal Register**. To the extent that CIBanco or parties have information relevant to this order, they may submit it to FinCEN at *www.fincen.gov/contact.*

V. Order

A. Definitions

1. CIBanco

The order defines CIBanco S.A., Institucion De Banca Multiple, a Mexico-based commercial bank, to include its branches, subsidiaries, and offices located in Mexico and operating pursuant to Mexican financial laws and regulations. Any branches, subsidiaries, and offices of CIBanco S.A., Institucion De Banca Multiple, operating outside of Mexico, including any such branches, subsidiaries, and offices located in the United States, are expressly excluded from the definition of ''CIBanco'' for the purposes of this order.

2. Covered Financial Institution

The order defines a covered financial institution as having the same meaning as ''financial institution'' in 31 CFR 1010.100(t).

3. Transmittals of Funds

The order defines transmittals of funds as the sending and receiving of funds, including convertible virtual currency.

4. Meaning of Other Terms

All terms used but not otherwise defined herein shall have the meaning set forth in 31 CFR Chapter X, 31 U.S.C. 5312, and 21 U.S.C. 2302.

B. Prohibition on Transmittals of Funds Involving CIBanco

A covered financial institution is prohibited from engaging in any transmittal of funds from or to CIBanco.

C. Order Period

The terms of this order are effective [21 DAYS AFTER PUBLICATION IN THE **FEDERAL REGISTER**], with no cessation date.

D. Reservation of Authority

FinCEN reserves authority to impose conditions on certain transmittals of funds from or to CIBanco and to grant appropriate exemptions from the requirements of this order.

E. Other Obligations

Nothing in this order shall be construed to modify, impair, or otherwise affect any requirements or obligations to which a covered financial institution is subject pursuant to the BSA, including, but not limited to, the filing of Suspicious Activity Reports (SARs), or other applicable laws or regulations, such as the sanctions administered and enforced by the U.S. Department of the Treasury's Office of Foreign Assets Control.

F. Penalties for Noncompliance

Any covered financial institution, and any of its partners, directors, officers, or employees may be liable for civil or criminal penalties under 31 U.S.C. 5321 and 5322 for willfully violating this order.

[59] As noted in section II.A, pursuant to section 2313a, these measures include: (1) the special measures described in 31 U.S.C. 5318A(b), including the imposition of additional recordkeeping, information collection, and reporting requirements on covered U.S. financial institutions and/or the imposition of conditions upon the opening or maintaining of correspondent or payable-through accounts for or on behalf of a foreign banking institution; and (2) the prohibition, or imposition of conditions on, the transmittal of funds.

[60] Likewise, imposing conditions on transmittals of funds, pursuant to section 2313a, would be insufficient to address the threat. CIBanco provides a service that is easily obtainable for legitimate customers through other providers, and in this case the value of any legitimate activity it may conduct is outweighed by the significant proportion of illicit financial activity identified.

G. Validity of Order

Any judicial determination that any provision of this order is invalid shall not affect the validity of any other provision of this order, and each other provision shall thereafter remain in full force and effect.

Andrea M. Gacki,

Director, Financial Crimes Enforcement Network.

[FR Doc. 2025–11993 Filed 6–27–25; 8:45 am]

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DEPARTMENT OF THE TREASURY

Financial Crimes Enforcement Network

31 CFR Chapter X, Part 1010

Imposition of Special Measure Prohibiting Certain Transmittals of Funds Involving Intercam Banco S.A., Institución de Banca Multiple

AGENCY: Financial Crimes Enforcement Network (FinCEN), Treasury.

ACTION: Order.

SUMMARY: FinCEN is issuing notice of an order prohibiting certain transmittals of funds involving Intercam Banco S.A., Institución de Banca Multiple, a financial institution operating outside of the United States determined to be of primary money laundering concern in connection with illicit opioid trafficking.

DATES: This action is effective [21 DAYS AFTER PUBLICATION IN THE **FEDERAL REGISTER**].

FOR FURTHER INFORMATION CONTACT: The FinCEN Resource Center at *www.fincen.gov/contact.*

SUPPLEMENTARY INFORMATION:

I. Summary of Order

This order sets forth FinCEN's finding that Intercam Banco S.A., Institución de Banca Multiple (Intercam), a Mexico-based commercial bank, is a financial institution operating outside of the United States that is of primary money laundering concern in connection with illicit opioid trafficking—specifically, through its provision of financial services that facilitate illicit opioid trafficking by Mexico-based drug trafficking organizations (DTOs), including the Cartel Jalisco Nueva Generación (CJNG)—and imposes a prohibition on certain transmittals of funds involving Intercam by any covered financial institution.[1]

II. Background

A. Statutory Provisions

In 2024, Congress enacted the FEND Off Fentanyl Act,[2] which among other things, added 21 U.S.C. 2313a[3] (section 2313a). Section 2313a grants the Secretary of the Treasury (Secretary) the authority to make a finding that ''reasonable grounds exist for concluding'' that any of the following is of primary money laundering concern in connection with illicit opioid trafficking:

(1) One or more financial institutions operating outside of the United States;

(2) One or more classes of transactions within, or involving, a jurisdiction outside of the United States; or

(3) One or more types of accounts within, or involving, a jurisdiction outside of the United States.[4]

Upon making such a finding, the Secretary is authorized to require domestic financial institutions and domestic financial agencies to take certain ''special measures,'' which are safeguards that may be employed to defend the United States financial system from money laundering risks connected to illicit opioid trafficking.[5] The authority of the Secretary to administer section 2313a has been delegated to FinCEN.[6]

Pursuant to section 2313a, the Secretary may impose one or more of six special measures.[7] First, the Secretary may impose any of the five special measures provided for in 31 U.S.C. 5318A(b), commonly known as section 311 of the USA PATRIOT Act.[8] Special measures one through four, codified at 31 U.S.C. 5318A(b)(1)–(4), describe additional recordkeeping, information collection, and reporting requirements. Through these special measures, the Secretary may impose such information collection and reporting requirements on covered domestic financial institutions and domestic financial agencies—collectively, ''covered financial institutions.''[9] Special measure five, codified at 31 U.S.C. 5318A(b)(5), authorizes the Secretary, in consultation with the Secretary of State, the Attorney General, and the Chairman of the Board of Governors of the Federal Reserve System, to prohibit, or impose conditions upon, the opening or maintaining in the United States of correspondent or payable-through accounts by any domestic financial institution or domestic financial agency for, or on behalf of, a foreign banking institution, if such correspondent account or payable-through account involves one or more financial institutions operating outside of the United States that the Secretary has found to be of primary money laundering concern.[10] Special measure six, codified at 21 U.S.C. 2313a(a)(2), allows the Secretary to ''prohibit, or impose conditions upon, certain transmittals of funds (to be defined by the Secretary) by any domestic financial institution or domestic financial agency, if such transmittal of funds involves any such institution, class of transaction, or type of accounts.''[11]

Importantly, in connection with finding that a financial institution is of primary money laundering concern and imposing any special measure, section 2313a requires a finding that the relevant financial institution is ''of primary money laundering concern in connection with illicit *opioid trafficking*'' (emphasis added). 21 U.S.C. 2302 provides the operative definition of ''opioid trafficking'' for purposes of section 2313a, as any illicit activity:

(1) to produce, manufacture, distribute, sell, or knowingly finance or transport—(a) synthetic opioids, including controlled substances that are synthetic opioids and listed chemicals that are synthetic opioids; or (b) active pharmaceutical ingredients or chemicals that are used in the production of controlled substances that are synthetic opioids;

(2) to attempt to carry out an activity described above; or

(3) to assist, abet, conspire, or collude with other persons to carry out such an activity.[12]

For purposes of this order, FinCEN interprets the term ''synthetic opioid'' to include fentanyl and fentanyl analogs,

[1] The application of FinCEN's authorities in this order is specific to authorities provided by the Fentanyl Sanctions Act and codified at 21 U.S.C. 2313a. It is not intended to otherwise reflect the applicability of, or obligations under, any provision of the Bank Secrecy Act (BSA) or its implementing regulations.

[2] The FEND Off Fentanyl Act is Division E of Public Law 118–50 (Apr. 24, 2024).

[3] Section 2313a codifies section 7213A of the Fentanyl Sanctions Act, as amended by section 3201(a) of the FEND Off Fentanyl Act. The Fentanyl Sanctions Act is Title LXXII of Public Law 116–92 (Dec. 20, 2019).

[4] 21 U.S.C. 2313a(a).

[5] *See* 21 U.S.C. 2313a(a).

[6] In accordance with Treasury Order 101–05 and 31 U.S.C. 321(b), the authority vested in the Secretary under section 2313a has been delegated to the Director of FinCEN.

[7] 21 U.S.C. 2313a(a).

[8] *See* 21 U.S.C. 2313a(a)(1). 21 U.S.C. 2313a(a)(1) explicitly references ''the special measures provided for in section 9714(a)(1) of the National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 31 U.S.C. 5318A note)'' (section 9714). Section 9714, in turn, references the five special measures set out in 31 U.S.C. 5318A(b)(1)–(5).

[9] 31 U.S.C. 5318A(b)(1)–(4).

[10] 31 U.S.C. 5318A(b)(5).

[11] 21 U.S.C. 2313a(a)(2).

[12] 21 U.S.C. 2302(8).

as well as precursors to fentanyl and precursors to fentanyl analogs.[13]

B. Illicit Opioid Trafficking

The sustained influx of fentanyl and other synthetic opioids into the United States has profound consequences, resulting in drug overdose becoming the leading cause of death for people aged 18 to 44 in the United States.[14] To address the synthetic opioid crisis, it is necessary to target the money laundering efforts of the Mexico-based DTOs that are the primary source of fentanyl and other synthetic opioids trafficked into the United States. These DTOs manufacture synthetic opioids in clandestine laboratories in Mexico using precursor chemicals sourced largely from the People's Republic of China (China), traffic these synthetic opioids into and throughout the United States, and launder the illicit profits back to Mexico.[15]

These DTOs could not profit on trafficking fentanyl and other synthetic opioids if not for their ability to launder and remit the monetary proceeds back to Mexico. DTOs and third-party money launderers use a diverse array of methods to launder money, including using financial institutions, remittance payments, bulk cash smuggling, trade-based money laundering, mirror trades, and cryptocurrencies.[16] It is therefore critical to address the role that financial institutions operating outside the United States play in facilitating the money laundering that enables and facilitates the DTOs and their illicit opioid trafficking and related money laundering.

III. Finding That Intercam is a Financial Institution Operating Outside the United States That is of Primary Money Laundering Concern in Connection With Illicit Opioid Trafficking

Based on public and non-public information available to FinCEN, FinCEN finds that reasonable grounds exist to conclude that Intercam, a financial institution operating outside of the United States, is of primary money laundering concern in connection with illicit opioid trafficking through its provision of financial services that facilitate illicit opioid trafficking by Mexico-based DTOs, including CJNG. In making this finding, FinCEN has considered the relevant evidence in light of factors identified in 31 U.S.C. 5318A(c)(2)(B), taking into account the specific circumstances of money laundering activities in connection with illicit opioid trafficking and the protection of U.S. national security and the U.S. financial system. While FinCEN is under no obligation pursuant to section 2313a to consider any particular factor or set of factors when making a finding that a financial institution operating outside of the United States is of primary money laundering concern in connection with illicit opioid trafficking, it nonetheless finds these factors instructive in guiding the analysis set forth below.[17]

A. Intercam is a Financial Institution Operating Outside the United States

Intercam is a Mexico-based commercial bank. By its own account, Intercam offers multiple financial services, including international banking, foreign exchange, insurance, investment services, and import and export services.[18] According to commercially available information, Intercam is headquartered in Mexico City, Mexico, has over 70 branches across Mexico, and provides U.S. dollar (USD) correspondent banking services through at least two U.S. financial institutions.[19] Considering the services it provides, Intercam is a financial institution within the meaning of 31 U.S.C. 5312(a)(2), and based on the foregoing, FinCEN has determined that Intercam is a financial institution operating outside of the United States, as described in section 2313a.

Intercam has a wholly owned U.S.-based subsidiary bank—Intercam Banco Internacional, Inc., which is headquartered in Guaynabo, Puerto Rico, and is a registered international financial entity in Puerto Rico.[20] Intercam also owns other U.S.-based financial services companies—Intercam Futures, Inc. (d/b/a Intercam FX) and Intercam Wealth Management Group, including its affiliates Intercam Advisors, Inc., and Intercam Securities, Inc.[21] This order expressly excludes all

[13] *See, e.g.,* Drug Enforcement Administration, *Synthetic Opioids Fact Sheet* (Dec. 2024), *https://www.dea.gov/sites/default/files/2025-01/Synthetic-Opioids-Drug-Fact-Sheet.pdf;* World Health Organization, *Opioid Overdose* (Aug. 29, 2023), *https://www.who.int/news-room/fact-sheets/detail/opioid-overdose; see also* Drug Enforcement Administration, Docket No. DEA–1086, *Special Surveillance List of Chemicals, Products, Materials and Equipment Used in the Manufacture of Controlled Substances and Listed Chemicals* (Oct. 24, 2023), *https://www.govinfo.gov/content/pkg/FR-2023-10-24/pdf/2023-23478.pdf.*

[14] *See* Centers for Disease Control, *CDC Reports Nearly 24% Decline in U.S. Drug Overdose Deaths* (Feb. 25, 2025), *https://www.cdc.gov/media/releases/2025/2025-cdc-reports-decline-in-us-drug-overdose-deaths.html;* E.O. 14159, *Imposing Duties To Address the Synthetic Opioid Supply Chain in the People's Republic of China,* 90 FR 9121 (Feb. 7, 2025), *https://www.federalregister.gov/documents/2025/02/07/2025-02408/imposing-duties-to-address-the-synthetic-opioid-supply-chain-in-the-peoples-republic-of-china.*

[15] *See* Drug Enforcement Administration, DEA–DCT–DIR–010–24, *2024 National Drug Threat Assessment* (May 2024), pp. 46–50, *https://www.dea.gov/sites/default/files/2024-05/5.23.2024%20NDTA-updated.pdf;* FinCEN, FIN–2024–A002, *Supplemental Advisory on the Procurement of Precursor Chemicals and Manufacturing Equipment Used for the Synthesis of Illicit Fentanyl and Other Synthetic Opioids* (June 20, 2024), *https://www.fincen.gov/sites/default/files/advisory/2024-06-20/FinCEN-Supplemental-Advisory-on-Fentanyl-508C.pdf;* Congressional Research Service, *Illicit Fentanyl and Mexico's Role* (Dec. 19, 2024), pp. 1–2, *https://crsreports.congress.gov/product/pdf/IF/IF10400.*

[16] *See* Drug Enforcement Administration, DEA–DCT–DIR–010–24, *2024 National Drug Threat Assessment* (May 2024), pp. 46–50, *https://www.dea.gov/sites/default/files/2024-05/5.23.2024%20NDTA-updated.pdf.*

[17] 31 U.S.C. 5318A(c)(2)(B) provides, as relevant here, that in making a finding that reasonable grounds exist for concluding that a financial institution outside the United States is of primary money laundering concern and to apply one or more of special measures one through four to a financial institution, the Secretary shall consider such information as the Secretary determines to be relevant, including the following potentially relevant factors:

(1) the extent to which such financial institutions, transactions, or types of accounts are used to facilitate or promote money laundering in or through the jurisdiction, including any money laundering activity by organized criminal groups, international terrorists, or entities involved in the proliferation of weapons of mass destruction or missiles;

(2) the extent to which such institutions, transactions, or types of accounts are used for legitimate business purposes in the jurisdiction; and

(3) the extent to which such action is sufficient to ensure, with respect to transactions involving the jurisdiction and institutions operating in the jurisdiction, that the purposes of this subchapter continue to be fulfilled, and to guard against international money laundering and other financial crimes.

[18] *See* Intercam's homepage, *https://www.intercam.com.mx/one-stop-banking/?lang=en* (last accessed Feb. 27, 2025).

[19] Detailed descriptions of Intercam's financial services can be found under the About Intercam dropdown menu at *https://www.intercam.com.mx/about-intercam/nuestra-vision/?lang=en* (last accessed May 08, 2025). *See also* Bankers Almanac, Intercam Bank profile (last accessed Jan. 23, 2024).

[20] Intercam Banco Internacional, *Who is Intercam Banco International, Inc., https://intercam.com.pr/english/Who-We-Are.html* (last accessed May 08, 2025).

[21] *See* Intercam International Wealth Management, *about us, https://www.intercam.us/english/about-intercam-wealth-management/intercam-grupo-financiero.html* (last accessed May 20, 2025) (stating that Intercam Grupo Financiero is an integrated group of financial services companies headquartered in Mexico City, including Intercam Banco, Intercam Casa de Bolsa, and Intercam Banco Internacional, Inc. in Puerto Rico); Intercam International Wealth Management, *affiliated entities, https://www.intercam.us/english/about-intercam-wealth-management/affiliated-entities.html* (last accessed May 20, 2025) (stating that Intercam International Wealth Management conducts business through two affiliated entities, Intercam Advisors, Inc. and Intercam Securities, Inc.); IntercamFX, *affiliated entities, https://www.intercamfx.us/affiliated-entities.html* (last accessed May 20, 2025) (stating that ''Intercam FX is an affiliated entity under common control of Intercam Grupo Financiero''); FinCEN, Money Services Business Registration No. 31000289206987

of Intercam's U.S.-based subsidiaries from the definition of ''Intercam,'' and, accordingly, Intercam's U.S.-based subsidiaries are outside the scope of this order.

B. Intercam is a Financial Institution of Primary Money Laundering Concern in Connection With Illicit Opioid Trafficking

FinCEN has considered the extent to which accounts at Intercam are used to ''facilitate or promote money laundering,'' including in connection with organized criminal groups associated with illicit opioid trafficking.[22] Based on information available to FinCEN, FinCEN has determined that Intercam has a history of suspected ties to international DTOs and facilitation of transactions on their behalf. Intercam's exposure to, and facilitation of, transactions associated with suspected illicit opioid trafficking-related activities is consistent with its long-standing pattern of associations with, and conduct of transactions for, multiple actors operating on behalf of or in tandem with, DTOs, including CJNG, which has been designated by OFAC and, as of February 20, 2025, was also designated as a foreign terrorist organization (FTO) pursuant to section 219 of the Immigration and Nationality Act (INA), as amended.[23]

1. Intercam Processed Funds Transfers on Behalf of Exporters and Importers of Synthetic Opioid-Related Precursor Chemicals

Based on non-public information available to FinCEN, FinCEN has determined that Intercam has a history of processing USD-denominated funds transfers that finance the importation of precursor chemicals used for the production of illicit synthetic opioids on behalf of DTOs.

In the United States, precursor chemicals are substances regulated by the Drug Enforcement Administration (DEA) in order to prevent the illicit manufacture of controlled substances. As of December 2024, most U.S.-destined illicit fentanyl was produced in clandestine labs in Mexico, using precursor chemicals imported from China.[24] Although the Mexican and Chinese governments have established controls on multiple precursor chemicals, China-based suppliers remain the main source for precursor chemicals used by DTOs in Mexico to produce illicit opioids.[25]

DTOs are known to employ transnational funds transfer services via various financial institutions and agencies, including, but not limited to, banks, money services businesses, and online payment processors to facilitate illicit opioid-related financial flows.[26] A common method employed by DTOs to obfuscate illicit opioids trafficking-related payments includes using shell and front companies to disguise the origin and destination of illicit funds.[27]

Based on non-public information, FinCEN assesses that Intercam has been instrumental in facilitating payments on behalf of Mexico-based companies involved in the procurement of precursor chemicals for illicit purposes. Examples of Intercam's likely facilitation of payments in furtherance of illicit opioid trafficking include, but are not limited to, the transactions listed below:

- In late 2019, Germany- and China-based precursor chemical brokers likely facilitated a shipment of hydroxylamine hydrochloride through a Mexico-based company for a CJNG-affiliated precursor chemical broker based on prior similar arrangements. From 2021 through 2024, this Mexico-based company sent over 1,000 funds transfers totaling over USD 8 million to shipping companies in countries, including Singapore and Hong Kong, through Intercam.
- Another Mexico-based company facilitated methamphetamine and fentanyl production in Mexico by importing precursor chemicals through U.S. ports. Since 2022, over 300 tons of precursor chemicals have been seized from shipping containers enroute to this company. Notably, from 2023 through 2024, this second Mexico-based company received over 25 funds transfers totaling over USD 700,000 from other Mexico-based companies involved in the trade of chemicals, through Intercam.

Furthermore, based on non-public information, FinCEN also assesses that Intercam has been instrumental in processing funds transfers to China-based companies known to have shipped precursor chemicals to Mexico for illicit purposes. Since at least 2019, over 20 China-based companies, including the three highlighted below, were known to have shipped precursor chemicals to Mexico for illicit purposes. For instance:

- Between 2016 and 2024, one China-based company known or suspected of having shipped precursor chemicals to Mexico was tied to over 50 international funds transfers totaling over USD 850,000 through Intercam.
- Between 2022 and 2024, a second China-based company was tied to over 12 international funds transfers totaling over USD 925,000 through Intercam.
- Between 2018 and 2024, a third China-based company was tied to over 120 international funds transfers totaling over USD 4 million through Intercam.

Separately, a China-based company was associated with Manu Gupta, who was arrested in 2019 for manufacturing and trafficking fentanyl from India to Mexico, as well as moving precursor chemicals from China to Mexico. From 2021 through 2024, this China-based company received over 40 funds transfers totaling over USD 1.5 million from at least three Mexico-based companies involved in the trade of chemicals through Intercam.

Given the conduct of these various entities and based on the volume and dollar amounts of funds transfers that Intercam processed over a number of years with these entities, FinCEN assesses that such transactions likely facilitated illicit opioid trafficking by Mexico-based DTOs.

(filed by Intercam Futures, Inc., d/b/a Intercam FX in Miami, Florida, received on Dec. 24, 2024).

[22] *See* 31 U.S.C. 5318A(c)(2)(B)(i).

[23] Department of State, *Designation of International Cartels Fact Sheet, https://www.state.gov/designation-of-international-cartels/* (last accessed Feb. 27, 2025); *see also* Department of State, *Foreign Terrorist Organization Designations of Tren de Aragua, Mara Salvatrucha, Cartel de Sinaloa, Cartel de Jalisco Nueva Generación, Carteles Unidos, Cartel del Noreste, Cartel del Golfo, and La Nueva Generacion, Carteles Unidos, Cartel del Noreste, Cartel del Golfo, and La Nueva Familia Michoacana,* 90 FR 10030–31 (Feb. 20, 2025), *https://www.govinfo.gov/content/pkg/FR-2025-02-20/pdf/2025-02873.pdf;* Department of State, *Specially Designated Global Terrorist Designations of Tren de Aragua, Mara Salvatrucha, Cartel de Sinaloa, Cartel de Jalisco Nueva Generación, Carteles Unidos, Cartel del Noreste, Cartel del Golfo, and La Nueva Familia Michoacana,* 90 FR 10030 (Feb. 20, 2025), *https://www.govinfo.gov/content/pkg/FR-2025-02-20/pdf/2025-02873.pdf;* 8 U.S.C. 1189 (codifying section 219 of the Immigration and Nationality Act).

[24] Congressional Research Service, *Illicit Fentanyl and Mexico's Role* (Dec. 19, 2024), p. 1, *https://crsreports.congress.gov/product/pdf/IF/IF10400/13.*

[25] Drug Enforcement Administration, DEA–DCT–DIR–010–24, *National Drug Threat Assessment 2024* (May 2024), p. 7, *https://www.dea.gov/sites/default/files/2025-02/508_5.23.2024%20NDTA-updated.pdf;* FinCEN, FIN–2024–A002, *Supplemental Advisory on the Procurement of Precursor Chemicals and Manufacturing Equipment Used for the Synthesis of Illicit Fentanyl and Other Synthetic Opioids* (Jun. 20, 2024), pp. 2–6, *https://www.fincen.gov/sites/default/files/advisory/2024-06-20/FinCEN-Supplemental-Advisory-on-Fentanyl-508C.pdf.*

[26] *See supra* note 24, pp. 1–2.

[27] Shell companies are businesses that exist only as an entity through which money may be transferred to hide beneficial ownership. Front companies operate partially as normal businesses; however, DTOs commingle drug proceeds with legitimate revenue from the front companies in an effort to disguise them. Drug Enforcement Administration, DEA–DCT–DIR–008–21, *2020 National Drug Threat Assessment* (Mar. 2021), p. 88, *https://www.dea.gov/sites/default/files/2021-02/DIR-008-21%202020%20National%20Drug%20Threat%20Assessment_WEB.pdf.*

2. Intercam Facilitated Transactions Linked to Illicit Opioid-Related Money Laundering

Based upon non-public information, FinCEN assesses that Intercam facilitated money laundering by suspected money mules on behalf of DTOs. For example, between 2021 and 2024, a suspected money mule opened accounts at multiple banks in Southern California and made 627 ATM deposits, totaling approximately USD 2.6 million. During the same period, the suspected money mule sent 125 wires, totaling approximately USD 1.9 million, from their United States-based accounts to an Intercam account in Mexico. Between 2022 and 2024, a different suspected money mule opened accounts at multiple banks in Southern California and made 431 ATM deposits, totaling approximately USD 1.4 million. During the same period, the suspected money mule sent 81 wires, totaling approximately USD 1.2 million, to Intercam accounts in Mexico. FinCEN assesses that such activity is consistent with current DTO money laundering techniques and supports FinCEN's assessment that Intercam was integral in money mules' operations to repatriate illicit funds to Mexico on behalf of DTOs.

3. Intercam Provided Financial Services That Benefited CJNG

In 2024, the DEA stated that CJNG, along with the Sinaloa Cartel, was ''at the heart'' of the synthetic opioid crisis, using its global supply chain network to gain access to the pill presses and precursor chemicals needed to manufacture synthetic opioids in Mexico for distribution in the United States.[28] The DEA described the CJNG Cartel as ''one of the largest producers and traffickers of illicit fentanyl, in both powder and pill form, to the United States.'' [29] DEA further stated:

> Although the Jalisco Cartel [CJNG] cannot match the Sinaloa Cartel's fentanyl production capacity, they have flooded American streets with fentanyl, often mixed with other drugs like heroin, cocaine, and xylazine. The cartel has its own connections to precursor chemical suppliers in China for the production of fentanyl and methamphetamine and exerts control over a number of seaports for importing the chemicals. They also control an extensive network of smuggling routes into the United States, and lucrative distribution hubs in major U.S. cities like Atlanta, Georgia.[30]

Indeed, the DEA reports that CJNG traffics a significant proportion of the fentanyl and other deadly drugs that enter the United States and uses extreme violence against rivals and Mexican authorities to expand and maintain territory in strategic drug trafficking corridors.[31] As such, according to the DEA's 2024 National Drug Threat Assessment, CJNG is a ''key driver of fatal drug poisonings in the United States'' and reaps billions of dollars in profit from the manufacture of methamphetamine and illicit fentanyl.[32]

In 2015, OFAC designated CJNG pursuant to the Foreign Narcotics Kingpin Designation Act and later designated the cartel under E.O. 14059 in 2021.[33] In 2021, OFAC described the cartel as ''one of the most powerful cartels in Mexico and one of the five most dangerous transnational criminal organizations in the world, according to the Department of Justice.'' Furthermore, as previously noted, as of February 20, 2025, CJNG was also designated as an FTO pursuant to section 219 of the INA, as amended.[34]

CJNG uses its vast financial resources, violence, and bribery of corrupt officials to maintain its dominance in Mexico's illicit drug trade. FinCEN assesses that Intercam helped finance such illicit activity by facilitating funds transfers for CJNG. For example, lntercam mid-level leadership has been involved in corrupt practices. In the latter part of 2022, Intercam executives met directly with suspected CJNG members to discuss money laundering schemes, including transferring funds from China. FinCEN assesses that such direct engagement with CJNG by Intercam leadership creates a significant risk of Intercam's services being used for future money laundering or other illicit financial activity.

4. Longstanding Compliance Concerns With Intercam and Other Indicia of Illicit Financial Activity

Notwithstanding the specific information presented by this order, both FinCEN and certain financial institutions have previously flagged certain perceived compliance concerns and other indicia of Intercam's potential facilitation of illicit financial activity. In 2015, FinCEN made Mexico's bank regulator, CNBV, aware of the bank's facilitation of a variety of activities that constituted money laundering, including transactions processed by Intercam involving suspicious purchases of cashier's checks along the United States-Mexican border, possible funnel account activity, and possible trade-based money laundering. CNBV imposed fines on Intercam for inadequate anti-money laundering controls, including failures to report suspicious transactions, for 14 offenses occurring from 2013 to 2017.[35]

Certain financial institutions have identified similar activity and compliance deficiencies. According to information available to FinCEN, Intercam previously maintained accounts at several U.S.-based financial institutions that exited their relationships with Intercam for compliance concerns. These concerns included Intercam facilitating wire transfers lacking beneficiary information, processing checks funded by cash deposits, and using a trading account primarily for conducting same-name wire transfers.

This history of deficient compliance underscores the ongoing threat that Intercam poses as a facilitator of illicit financial activity. Despite being previously cited by regulators, as set out in this order, Intercam continues to facilitate illicit transactions related to illicit opioid trafficking. As such, these historical examples support FinCEN's finding that Intercam is a financial institution of primary money laundering concern.

C. Extent To Which Intercam Is Used for Legitimate Business Activity

In reaching its finding, FinCEN has considered the extent to which Intercam is used for legitimate business purposes.[36] Intercam is the 25th largest financial institution in Mexico, worth Mexican Pesos (MXN) 81.692 billion (USD 4.04 billion) in total assets as of December 2024, and maintains at least two U.S. correspondents.[37] According to CNBV, as of February 2025, Intercam is

[28] *See supra* note 16, p. 2.

[29] *See supra* note 16, p. 13.

[30] *See supra* note 16, p. 16.

[31] OFAC, Press Release, *Treasury Uses New Sanctions Authority to Combat Global Illicit Drug* Trade (Dec. 15, 2021), *https://home.treasury.gov/news/press-releases/jy0535.*

[32] *See supra,* note 16, p. 12.

[33] OFAC, Press Release, *Treasury Uses New Sanctions Authority to Combat Global Illicit Drug Trade* (Dec. 15, 2021), *https://home.treasury.gov/news/press-releases/jy0535;* OFAC, Press Release, *Treasury Sanctions Two Major Mexican Drug Organizations and Two of Their Leaders* (Apr. 8, 2015), *https://home.treasury.gov/news/press-releases/jl10020.*

[34] *See supra* note 23.

[35] Government of Mexico, CNBV, *Sanciones Consolidadas, https://sanciones.cnbv.gob.mx* (last accessed May 20, 2025).

[36] *See* 31 U.S.C. 5318A(c)(2)(B)(ii).

[37] Ranking determined by comparing Intercam's total assets reported by CNBV in December 2024 with the total assets reported for banks in Mexico by CNBV in December 2024. *See* Government of Mexico, CNBV, *Banca Múltiple* (Dec. 2024), *https://portafolioinfo.cnbv.gob.mx/PUBLICACIONES/Boletines/Paginas/CB.aspx* (last accessed May 8, 2025). Correspondent relationships identified through commercially available bank data for Intercam. *see* BankCheck Profile for Intercam Banco, *https://bankcheck.app* (last accessed Apr. 10, 2025).

one of 51 registered banking institutions in Mexico.[38] As of December 2024, Intercam constituted 0.5 percent of commercial bank assets in Mexico. By comparison, the assets of the two largest Mexico-based banks in December 2024 represented 22.25 percent with MXN 3.384 trillion (USD 167.22 billion) and 13.19 percent with MXN 2.006 trillion (USD 99.15 billion), respectively, of commercial assets in Mexico.

FinCEN has also assessed Intercam's statements and other public information about Intercam's anti-money laundering and countering the financing of terrorism (AML/CFT) policies. According to Intercam's money-laundering prevention summary, protecting the bank from money laundering and illicit finance activity is a priority and staff receive constant training and evaluation for compliance with the bank's internal code of ethics and conduct.[39] In addition to policies and procedures and hosting an annual Money-Laundering Prevention Convention attended by more than 100 compliance officers across industries, Intercam purports to prioritize Know Your Customer efforts via regular in-person visits to clients for verification purposes and the development of monitoring controls.[40] FinCEN has not independently examined Intercam's AML policies or programs or otherwise corroborated the existence or efficacy of such programs. However, in light of the evidence presented elsewhere in this order, FinCEN concludes that even if such programs exist, they have not proven effective at detecting or preventing the illicit financial activity described herein. FinCEN therefore concludes that given the totality of the circumstances, Intercam's AML program does not alter FinCEN's overall determination that Intercam is of primary money laundering concern.

Moreover, FinCEN assesses that Intercam's legitimate business activities do not outweigh the risk posed by its provision of services to facilitate illicit opioid trafficking by DTOs that seek to circumvent AML/CFT obligations and obfuscate the source of funds or their intended use. In particular, FinCEN analyzed references to regulated Mexican banks and brokerage houses in 2022–2024, from non-public information made available to FinCEN, and produced an asset-weighted ranking based on asset data published by Mexico's National Banking and Securities Commission. Intercam ranked first in the asset-weighted analysis of potentially illicit activity, and FinCEN assesses that a higher relative concentration of such activity amongst smaller market share financial institutions such as Intercam in Mexico is likely indicative of weak AML/CFT controls within these institutions. Accordingly, given the extensive flows of illegitimate funds through Intercam, FinCEN assesses that the need to protect U.S. financial institutions from the money laundering risks presented by Intercam outweighs any potential legitimate utility its services may provide.

D. The Extent to Which This Action Would Guard Against International Money Laundering and Other Financial Crimes Associated With Illicit Opioid Trafficking

A finding that Intercam is of primary money laundering concern in connection with illicit opioid trafficking establishes—and emphasizes—the significant illicit finance risks posed by Intercam's provision of financial services that facilitate illicit opioid trafficking by Mexico-based DTOs. This finding will place U.S. and foreign financial institutions and regulators on notice to guard against those risks.[41] Moreover, such a finding—in combination with a prohibition on certain transmittals of funds involving Intercam by covered financial institutions—will safeguard the U.S. financial system by severing Intercam's access.

IV. Imposition of a Special Measure Prohibiting Certain Transmittals of Funds Involving Intercam

Having found that Intercam is a financial institution operating outside of the United States that is of primary money laundering concern in connection with illicit opioid trafficking, FinCEN has determined that the imposition of a special measure prohibiting certain transmittals of funds involving Intercam is warranted.[42] In making this determination and assessing which special measures may be appropriate, FinCEN has considered the relevant evidence in light of factors identified in 31 U.S.C. 5318A(a)(4)(B). While FinCEN is under no obligation pursuant to section 2313a to consider any particular factor or set of factors in selecting one or more special measures, it nonetheless finds these factors instructive in guiding the analysis set forth below.[43]

A. Whether the Prohibition on Certain Transmittals of Funds Involving Intercam Will Address the Money Laundering Concern in a Manner Consistent With U.S. National Security and Foreign Policy Interests

FinCEN has considered the effect this action will have on U.S. national security and foreign policy, as well as the extent to which multilateral groups or other nations have taken similar actions.[44] Given Intercam's association with DTOs and other actors engaged in illicit opioid trafficking, FinCEN assesses that imposing a prohibition on certain transmittals of funds involving Intercam is necessary to safeguard U.S. national security and the U.S. financial system, as well as serve key U.S. national security objectives.[45] In

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[38] Government of Mexico, CNBV, *Registry of Supervised Entities on Multiple Banking Institutions as of February 21, 2025, https://www.cnbv.gob.mx/Paginas/PADR%C3%93N-DE-ENTIDADES-SUPERVISADAS.aspx.*

[39] *See* Intercam's website, *Money Laundering Prevention, https://www.intercam.com.mx/about-intercam/money-laundering-prevention/?lang=en#:~:text=Since%201997%2C%20Intercam%20has%20led%20the%20financial%20industry,the%20local%20industry%20to%20comply%20with%20FATF%20guidelines* (last accessed Apr. 22, 2025).

[40] *Id.*

[41] *See* 31 U.S.C. 5318A(c)(2)(B)(iii).

[42] In connection with this action, and consistent with 31 U.S.C. 5318A(a)(4)(A), FinCEN consulted with staff at the following Departments and agencies with regard to the proposed order and prohibition: the Department of Justice; the Department of State; the Board of Governors of the Federal Reserve System; the Federal Deposit Insurance Corporation; the Securities and Exchange Commission; the Commodity Futures Trading Commission; the Office of the Comptroller of the Currency; and the National Credit Union Administration. None of the Departments or agencies objected to the issuance of this order based on the information provided to staff at the time of this consultation.

[43] 31 U.S.C. 5318A(a)(4)(B) provides, as relevant here, that in selecting which special measure(s) to take, the Secretary shall consider:

(1) whether similar action has been or is being taken by other nations or multilateral groups;

(2) whether the imposition of any particular special measure would create a significant competitive disadvantage, including any undue cost or burden associated with compliance, for financial institutions organized or licensed in the United States;

(3) the extent to which the action or the timing of the action would have a significant adverse systemic impact on the international payment, clearance, and settlement system, or on legitimate business activities involving the particular jurisdiction, institution, class of transactions, or type of account; and

(4) the effect of the action on United States national security and foreign policy.

[44] *See* 31 U.S.C. 5318A(a)(4)(B)(i), (iv).

[45] *See generally* National Security Memorandum/NSM–24, *National Security Memorandum on Prioritizing the Strategic Disruption of the Supply Chain for Illicit Fentanyl and Synthetic Opioids Through a Coordinated, Whole-of-Government, Information-Driven Effort* (July 31, 2024), *https://www.govinfo.gov/app/details/DCPD-202400663;* Treasury, *2024 National Strategy for Combating Terrorist and Other Illicit Financing* (May 2024), *https://home.treasury.gov/system/files/136/2024-Illicit-Finance-Strategy.pdf; supra* note 16.

particular, prohibiting certain transmittals of funds involving Intercam will further ongoing U.S. efforts to curtail illicit opioid trafficking—including the manufacture of synthetic opioids—and related financial transactions that facilitate the laundering of the proceeds of their distribution. Targeting the illicit proceeds of drug traffickers and DTOs, especially those with a nexus to illicit opioids—like CJNG—is a high priority for the United States. For that reason, recent actions by OFAC and the Department of State have focused on DTOs affiliated with opioid-related illicit finance threats, including the February 20, 2025, designation of certain DTOs, including CJNG.[46] Publicly countering a financing mechanism used by these illicit entities by prohibiting certain transmittals of funds involving Intercam will serve the national security and protect the financial system of the United States by further deterring and curtailing illicit opioid trafficking, along with the activities of such DTOs and FTOs. Similarly, such a prohibition would sever a pathway that may facilitate circumvention of U.S. economic sanctions, increasing the efficacy of those sanctions and complementing previous actions taken by the U.S. government.

Moreover, this action reinforces the expectations of AML/CFT compliance in the financial system, highlighting the importance of identifying and reporting suspicious activity by financial institutions around the world. With respect to the illicit finance risks posed by Intercam, that is of particular importance, as no multilateral groups and no other nations have yet acted to address those risks.

B. Whether the Prohibition on Certain Transmittals of Funds Involving Intercam Would Create a Significant Competitive Disadvantage, Including Through Imposing Undue Burdens on Legitimate Activity of Intercam or Third Parties

FinCEN has considered whether the imposition of special measure six would create a significant competitive disadvantage, including any undue cost or burden associated with compliance, for financial institutions organized or licensed in the United States, as well as the extent to which the action could have a significant adverse systemic impact on legitimate business activities involving Intercam.[47] FinCEN assesses that prohibiting certain transmittals of funds involving Intercam would impose a relatively limited burden on legitimate activities currently transacted through Intercam or the legitimate activities of third parties impacted by this order, as similar services are offered by other financial institutions in Mexico and third parties will have sufficient capability to ensure compliance.

As noted above, Intercam is the 25th largest financial institution in Mexico, with MXN 81.692 billion (USD 4.04 billion) in assets as of December 2024, and holds correspondent banking relationships with at least two U.S. financial institutions.[48] As of December 2024, Intercam represented 0.5 percent of commercial bank assets in Mexico. By comparison, the assets of the two largest Mexico-based banks in December 2024 represented 22.25 percent with MXN 3.384 trillion (USD 167.22 billion) and 13.19 percent with MXN 2.006 trillion (USD 99.15 billion), respectively, of commercial assets in Mexico. FinCEN assesses that given Intercam's size compared to the largest financial institutions in Mexico and the array of correspondent relationships between U.S. and Mexican financial institutions, the macroeconomic impact of prohibiting certain transmittals of funds involving Intercam would be negligible.

Indeed, the legitimate services that Intercam offers would be readily available through other regulated institutions, and those financial institutions would do so with the appropriate transparency necessary to support international efforts to protect the integrity of the international financial system.

Although this order represents one of the first issuances of an order under section 2313a, FinCEN has afforded financial institutions an additional 21 days to prepare for the prohibition and, regardless, assesses that this action would not impose any undue cost or burden for financial institutions, as covered financial institutions would be positioned to readily incorporate the requirements of this order into their compliance programs. FinCEN does anticipate that, although any Intercam affiliates outside of Mexico would not be subject to the restrictions set out in this order, there may yet be challenges associated with transactions involving such entities. However, the burden associated with any such challenges remains outweighed by the benefits to national security from this action, and, again, FinCEN assesses that covered financial institutions' existing compliance programs and process will be sufficient in both navigating those challenges and mitigating any associated burden and unintended consequences on licit businesses and customers.

C. Whether Any Other Reasonable Alternatives or Special Measures Would Adequately Address the Money Laundering Concern

In imposing a prohibition on certain transmittals of funds, FinCEN considered other available special measures[49] and, after due consideration, has determined that a special measure prohibiting certain transmittals of funds involving Intercam is the appropriate means to adequately address the illicit finance risks that Intercam poses.

None of the special measures set out in 31 U.S.C. 5318A—special measures one through five—would effectively address the illicit finance threat posed by Intercam. Any additional recordkeeping, information collection, or reporting requirements, as described in 31 U.S.C 5318A(b)(1)–(4), would be insufficient to guard against the risks posed by covered financial institutions processing transmittals of funds involving Intercam. Those special measures would allow such transfers to continue to the benefit of illicit actors connected to illicit opioid trafficking. Further, prohibiting or placing conditions upon the opening or maintaining in the United States of correspondent accounts or payable-through accounts for or on behalf of Intercam, as described in 31 U.S.C 5318A(b)(5), would be similarly inadequate. Neither prohibiting nor imposing conditions on such accounts would safeguard the U.S. financial system to the same degree as prohibiting transmittals of funds, as such a special measure would not address the movement of funds outside of a strict correspondent or payable-through

[46] *See supra* note 23.

[47] *See* 31 U.S.C. 5318A(a)(4)(B)(ii), (iii).

[48] Ranking was determined by comparing Intercam's total assets reported by CNBV in December 2024 with the total assets reported for banks in Mexico by CNBV in December 2024. *See* Government of Mexico, CNBV, *Banca Múltiple* (Dec. 2024), *https://portafolioinfo.cnbv.gob.mx/PUBLICACIONES/Boletines/Paginas/CB.aspx* (last accessed May 8, 2025). Correspondent relationships were identified through commercially available bank data for Intercam. *See* BankCheck Profile for Intercam Banco, *https://bankcheck.app* (last accessed Apr. 10, 2025).

[49] As noted in section II.A, pursuant to section 2313a, these measures include: (1) the special measures described in 31 U.S.C. 5318A(b), including the imposition of additional recordkeeping, information collection, and reporting requirements on covered U.S. financial institutions and/or the imposition of conditions upon the opening or maintaining of correspondent or payable-through accounts for or on behalf of a foreign banking institution; and (2) the prohibition, or imposition of conditions on, the transmittal of funds.

relationship, for example, through the movement of funds outside the traditional banking relationship, which may permit Intercam to access USD through indirect correspondent relationships via other foreign financial institutions.

Given Intercam's longstanding facilitation of illicit opioid trafficking by Mexico-based DTOs, and because transmittals of funds involving Intercam do not necessarily have to go through a correspondent account, FinCEN assesses that it is appropriate to more broadly prohibit any transmittals of funds. Because such a prohibition would cut off any transmittal of funds, and not just those conducted through a correspondent or payable-through account, the prohibition on any transmittal of funds involving Intercam would more effectively prevent Intercam from accessing the U.S. financial system. FinCEN therefore assesses that such a prohibition is the most appropriate special measure to protect the U.S. financial system.

D. Whether the Special Measure Prohibiting Certain Transmittals of Funds Should Be Imposed by Order or Regulation

Pursuant to section 2313a, the Secretary may impose specified special measures, including a prohibition on certain transmittals of funds, ''by order, regulation or otherwise as permitted by law.'' In determining the appropriate approach in this instance, FinCEN considered imposing special measures by order or regulation, taking into account the nature of the underlying threat, and determined that proceeding by an order is the most appropriate course of action given the imminent threats posed by the illicit actors whose transactions and access to funds Intercam facilitates, as well as the ongoing transactions associated with suspected activity related to illicit opioid trafficking that continue to be processed through Intercam. Further, FinCEN has assessed that this order will not be unduly burdensome or impose new or unique compliance costs on financial institutions.

A copy of this order will be published in the **Federal Register**. To the extent that Intercam or parties have information relevant to this order, they may submit it to FinCEN at *http://www.fincen.gov/contact.*

V. Order

A. Definitions

1. Intercam Banco S.A., Institución De Banca Multiple

The order defines Intercam Banco S.A., Institución de Banca Multiple (Intercam), a commercial bank licensed by the government of the Republic of Mexico, to mean all of its subsidiaries, branches, and offices located in Mexico and operating pursuant to Mexican financial laws and regulations. Any branches, subsidiaries, and offices of Intercam Banco S.A., Institución de Banca Multiple, operating outside of Mexico, including any such branches, subsidiaries, and offices located in the United States, are expressly excluded from the definition of ''Intercam'' for the purposes of this order.

2. Covered Financial Institution

The order defines a covered financial institution as having the same meaning as ''financial institution'' in 31 CFR 1010.100(t).

3. Transmittals of Funds

The order defines transmittals of funds as the sending and receiving of funds, including convertible virtual currency.

4. Meaning of Other Terms

All terms used but not otherwise defined herein shall have the meaning set forth in 31 CFR Chapter X, 31 U.S.C. 5312, and 21 U.S.C. 2302.

B. Prohibition on Transmittals of Funds Involving Intercam

A covered financial institution is prohibited from engaging in any transmittal of funds from or to Intercam.

C. Order Period

The terms of this order are effective [21 DAYS AFTER PUBLICATION IN THE **FEDERAL REGISTER**], with no cessation date.

D. Reservation of Authority

FinCEN reserves authority to impose conditions on certain transmittals of funds from or to Intercam and to grant appropriate exemptions from the requirements of this order.

E. Other Obligations

Nothing in this order shall be construed to modify, impair, or otherwise affect any requirements or obligations to which a covered financial institution is subject pursuant to the BSA, including, but not limited to, the filing of Suspicious Activity Reports, or other applicable laws or regulations, such as the sanctions administered and enforced by the U.S. Department of the Treasury's Office of Foreign Assets Control.

F. Penalties for Noncompliance

Any covered financial institution, and any of its partners, directors, officers, or employees may be liable for civil or criminal penalties under 31 U.S.C. 5321 and 5322 for willfully violating any of the terms of this order.

G. Validity of Order

Any judicial determination that any provision of this order is invalid shall not affect the validity of any other provision of this order, and each other provision shall thereafter remain in full force and effect.

Andrea M. Gacki,

Director, Financial Crimes Enforcement Network.

[FR Doc. 2025–11990 Filed 6–27–25; 8:45 am]

BILLING CODE 4810–02–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket No. USCG–2025–0457]

Safety Zones; Annual Events in the Captain of the Port Detroit Zone

AGENCY: Coast Guard, DHS.

ACTION: Notice of enforcement of regulation.

SUMMARY: The Coast Guard will enforce various safety zones for annual marine events in the Captain of the Port Detroit zone. Enforcement of these safety zones is necessary to protect the safety of life and property on the navigable waters immediately prior to, during, and immediately after these events. During each enforcement period, no person or vessel may enter the respective safety zone without permission of the Captain of the Port Detroit or his designated representative.

DATES: The regulations in 33 CFR 165.941 will be enforced for the safety zones for the events on the dates and times specified in the **SUPPLEMENTARY INFORMATION** section below.

FOR FURTHER INFORMATION CONTACT: If you have questions on this document, call or email Tracy Girard, Prevention Department, U.S. Coast Guard; telephone (313) 568–9564, email *Tracy.M.Girard@uscg.mil.*

SUPPLEMENTARY INFORMATION: The Coast Guard will enforce the safety zones

listed in 33 CFR 165.941, Table 1, at the following dates and times for the following events:

Algonac Fireworks Festival, Algonac, MI: The safety zone listed in Table 1 to § 165.941, item (7), will be enforced from 8:30 p.m. through 11 p.m. on July 5, 2025. In the case of inclement weather on July 5, 2025, this safety zone will be enforced from 8:30 p.m. through 11 p.m. on July 6, 2025.

Bay City Fireworks Festival, Bay City, MI: The safety zone listed in Table 1 to § 165.941, item (8), will be enforced from 9:30 p.m. through 11 p.m. on July 3, July 4, and July 5, 2025. In the case of inclement weather on any scheduled day, this safety zone will be enforced from 9:30 p.m. through 11 p.m. on July 6, 2025.

Caseville Fireworks Festival, Caseville, MI: The safety zone listed in the § 165.941 Table 1, item (9) will be enforced from 10 p.m. through 10:30 p.m. on July 5, 2025. In the case of inclement weather on July 5, 2025, this safety zone will be enforced from 10 p.m. through 10:30 p.m. on July 6, 2025.

Grosse Ile Fireworks, Grosse Ile, MI: The safety zone listed in the § 165.941 Table 1, item (11) will be enforced from 10 p.m. through 10:30 p.m. on July 5, 2025. In the case of inclement weather on July 5, 2025, this safety zone will be enforced from 10 p.m. through 10:30 p.m. on July 6, 2025.

Grosse Pointe Farms, Grosse Pointe Farms, MI: The safety zone listed in the § 165.941 Table 1, item (12) will be enforced from 10 p.m. through 10:30 p.m. on July 4, 2025. In the case of inclement weather on July 4, 2025, this safety zone will be enforced from 10 p.m. through 10:30 p.m. on July 5, 2025.

Grosse Pointe Yacht Club Fireworks, Grosse Pointe Shores, MI: The safety zone listed in Table 1 to § 165.941, item (13), will be enforced from 10 p.m. through 10:30 p.m. on July 4, 2025. In the case of inclement weather on July 4, 2025, this safety zone will be enforced from 10 p.m. through 10:30 p.m. on July 5, 2025.

Harbor Beach Fireworks, Harbor Beach, MI: The safety zone listed in Table 1 to § 165.941, item (14), will be enforced from 9:30 p.m. through 11 p.m. on July 12, 2025. In the case of inclement weather on July 12, 2025, this safety zone will be enforced from 9:30 p.m. through 11 p.m. on July 13, 2025.

Belle Maer Harbor Fireworks, Harrison Township, MI: The safety zone listed in Table 1 to § 165.941, item (15), will be enforced from 10 p.m. through 10:30 p.m. on July 4, 2025. In the case of inclement weather on July 4, 2025, this safety zone will be enforced from 10 p.m. through 10:30 p.m. on July 5, 2025.

Harrisville Fireworks, Harrisville, MI: The safety zone listed in Table 1 to § 165.941, item (16) will be enforced from 10 p.m. through 10:30 p.m. on July 5, 2025. In the case of inclement weather on July 5, 2025, this safety zone will be enforced from 10 p.m. through 10:30 p.m. on July 6, 2025.

Lexington Fireworks, Lexington, MI: The safety zone listed in Table 1 to § 165.941, item (17) will be enforced from 10 p.m. through 10:30 p.m. on July 4, 2025. In the case of inclement weather on July 4, 2025, this safety zone will be enforced from 10 p.m. through 10:30 p.m. on July 5, 2025.

Oscoda Township Fireworks, Oscoda, MI: The safety zone listed in Table 1 to § 165.941, item (18) will be enforced from 10 p.m. through 10:30 p.m. on July 4, 2025. In the case of inclement weather on July 4, 2025, this safety zone will be enforced from 10 p.m. through 10:30 p.m. on July 5, 2025.

Port Austin Fireworks, Port Austin, MI: The safety zone listed in Table 1 to § 165.941, item (19), will be enforced from 10 p.m. through 10:30 p.m. on July 4, 2025. In the case of inclement weather on July 4, 2025, this safety zone will be enforced from 10 p.m. through 10:30 p.m. on July 5, 2025.

Port Sanilac Fireworks, Port Sanilac, MI: The safety zone listed in Table 1 to § 165.941, item (20), will be enforced from 10 p.m. through 10:30 p.m. on July 5, 2025. In the case of inclement weather on July 5, 2025, this safety zone will be enforced from 10 p.m. through 10:30 p.m. on July 6, 2025.

St. Clair Fireworks, St. Clair, MI: The safety zone listed in Table 1 to § 165.941, item (21), will be enforced from 10 p.m. through 10:45 p.m. on July 4, 2025. In the case of inclement weather on July 4, 2025, this safety zone will be enforced from 10 p.m. through 10:45 p.m. on July 5, 2025.

St. Clair Shores Fireworks, St. Clair Shores, MI: The safety zone listed in Table 1 to § 165.941, item (22), will be enforced from 9:30 p.m. through 10:15 p.m. on June 27, 2025. In the case of inclement weather on June 27, 2025, this safety zone will be enforced from 9:30 p.m. through 10:15 p.m. on June 28, 2025.

Tawas Fireworks, Tawas, MI: The safety zone listed in Table 1 to § 165.941, item (23), will be enforced from 10 p.m. through 11 p.m. on July 4, 2025. In the case of inclement weather on July 4, 2025, this safety zone will be enforced from 10 p.m. through 11 p.m. on July 5, 2025.

Old Club Fireworks, Harsens Island, MI: The safety zone listed in Table 1 to § 165.941, item (26), will be enforced from 10 p.m. through 11 p.m. on July 5, 2025. In the case of inclement weather on July 5, 2025, this safety zone will be enforced from 10 p.m. through 11 p.m. on July 6, 2025.

Marine City Maritime Days Fireworks Marine City, MI: The safety zone listed in Table 1 to § 165.941, item (33), will be enforced from 10 p.m. through 11 p.m. on August 1, 2025. In the case of inclement weather on August 1, 2025, this safety zone will be enforced from 10 p.m. through 11 p.m. on August 2, 2025.

Put-In-Bay 4th of July Fireworks Put-In-Bay, OH: The safety zone listed in Table 1 to § 165.941, item (36) will be enforced from 10 p.m. through 11 p.m. on July 4, 2025.

Lakeside Chautauqua July 4th Fireworks, Lakeside, OH: The safety zone listed in Table 1 to § 165.941, item (40) will be enforced from 9:30 p.m. through 10:30 p.m. on July 4, 2025.

Harrisville Fireworks, Harrisville, MI: The safety zone listed in Table 1 to § 165.941, item (16) will be enforced from 10 p.m. through 10:30 p.m. on July 5, 2025. In the case of inclement weather on July 5, 2025, this safety zone will be enforced from 10 p.m. through 10:30 p.m. on July 6, 2025.

The locations for these events are in Table 1 to § 165.941. Under the provisions of 33 CFR 165.23, entry into, transiting, or anchoring within these safety zones during the enforcement period is prohibited unless authorized by the Captain of the Port Detroit or his designated representative. Vessels that wish to transit through the safety zones may request permission from the Captain of the Port Detroit or his designated representative. Requests must be made in advance and approved by the Captain of Port Detroit before transits will be authorized. Approval will be granted on a case-by-case basis. The Captain of the Port Detroit may be contacted via U.S. Coast Guard Sector Detroit on channel 16, VHF–FM or by calling (313) 568–9564. The Coast Guard will give notice to the public via Local Notice to Mariners and VHF radio broadcasts that the regulation is in effect.

This notice of enforcement is issued under authority of 33 CFR 165.941 and 5 U.S.C. 552(a). If the Captain of the Port Detroit determines that any of these safety zones need not be enforced for the full duration stated in this notice, he may suspend such enforcement and notify the public of the suspension via a Broadcast Notice to Mariners.

Dated: June 24, 2025.

Richard P. Armstrong,

Captain, U.S. Coast Guard, Captain of the Port Detroit.

[FR Doc. 2025–12033 Filed 6–27–25; 8:45 am]

BILLING CODE 9110–04–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 9

[EPA–HQ–OPPT–2025–0224; FRL–12001–01–OCSPP]

Technical Amendment to the List of OMB Approvals Under the Paperwork Reduction Act

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: In compliance with the Paperwork Reduction Act (PRA), this technical amendment updates the table that lists the control numbers issued by the Office of Management and Budget (OMB) under the PRA for information collection activities contained in certain EPA regulations that are promulgated in title 40 of the Code of Federal Regulations (CFR). This technical amendment adds or amends the OMB Control Numbers for existing approved collection activities and removes the OMB Control Numbers that have expired and/or have been discontinued.

DATES: This final rule is effective June 30, 2025.

ADDRESSES: The docket for this action, identified by docket identification (ID) number EPA–HQ–OPPT–2025–0224, 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: Katherine Sleasman, Office of Program Support (7602M), Office of Chemical Safety and Pollution Prevention, Environmental Protection Agency, 1200 Pennsylvania Ave. NW, Washington, DC 20460–0001; telephone number: (202) 566–1204; email address: *sleasman.katherine@epa.gov*.

SUPPLEMENTARY INFORMATION:

I. Executive Summary

A. Does this action apply to me?

This action, which consolidates publicly available information about OMB approval of certain information collections without affecting any related activities or requirements, is directed to the public in general. Although this action may be of particular interest to those who would follow the EPA listing of OMB Control Numbers in 40 CFR part 9, the Agency has not attempted to describe all the specific entities that may be interested.

B. What action is the Agency taking?

This document updates the OMB Control Numbers listed in 40 CFR part 9 for various actions published in the **Federal Register** that were issued under the Toxic Substances Control Act (TSCA) (15 U.S.C. 2601 *et seq.*), the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) (7 U.S.C. 136 *et seq.*), the Federal Food, Drug, and Cosmetic Act (FFDCA) (21 U.S.C. 408), and the Emergency Planning and Community Right-to-Know Act (EPCRA) (42 U.S.C. 11001 *et seq.*). With this technical amendment, EPA is updating the table in 40 CFR 9.1 to reflect changes to the OMB Control Numbers assigned to the information collection activities contained in the EPA regulations in title 40 of the CFR. The activities or their corresponding OMB Control Numbers may have changed due to the publication of a final rule without a corresponding amendment to 40 CFR part 9, or due to other implementation activities that resulted in the subsequent issuance of a new OMB Control Number under the PRA (*e.g.,* the consolidation of activities, or transfer of activities to another ICR). This final rule simply updates the table to reflect the currently valid OMB Control Numbers.

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

An agency may not conduct or sponsor, and a person is not required to respond to a collection of information that requires OMB approval under the PRA (44 U.S.C. 3501 *et seq.*) unless it displays a currently valid OMB Control Number. To satisfy the display requirements of the PRA and OMB's implementing regulations at 5 CFR part 1320, the Agency displays the OMB Control Numbers for certain EPA regulations in 40 CFR part 9, in related documents that publish in the **Federal Register**, or by other appropriate means, such as on a related collection instrument or form, reporting system or as part of the instructions and guidance given to respondents, as applicable.

D. Why is this technical amendment issued as a final rule?

Section 553(b)(B) of the Administrative Procedure Act (APA), 5 U.S.C. 553(b)(B), provides that, when an agency for good cause finds that public notice and comment procedures are impracticable, unnecessary, or contrary to the public interest, the agency may issue a rule without providing notice and an opportunity for public comment.

The information collection activities referenced in this document were previously subject to public notice and comment as part of the rulemaking process and submission of the related requests for OMB review and approval of the information collection activities contained in those rulemakings. EPA is not making any substantive changes to the information collection activities listed in 40 CFR 9.1. The Agency is only amending the list of information collections to align it with OMB approved collection activities that underwent public notice and comment process under the APA for the information collection activities associated with rulemakings, as well as consolidations of ongoing collection activities announced through the public notice and comment process per the PRA, because this action only updates the CFR to reflect changes and additions that have already occurred and for which EPA previously provided an opportunity for notice and comment. As such, EPA is not exercising any discretion in this action, but is instead making a ministerial update to the CFR. EPA thus has determined that there is good cause for making this rule final without prior proposal and opportunity comment because such notice and opportunity for comment is unnecessary. In addition, as they are ministerial updates, these revisions do not alter any regulatory requirements. For the reasons discussed in this unit, the Agency also finds that good cause exists under APA section 553(d) to make this rule effective immediately upon publication in the **Federal Register**. EPA is not exercising discretion in this action, but is instead making an administrative change to the CFR.

II. Summary of Changes

EPA is updating the table at 40 CFR 9.1 to correctly reflect OMB's approval of the information collection activities contained in the final rules listed in 40 CFR parts 150 through 190, part 372, and parts 700 through 799, and the ICRs identified in this unit. You may access the record of OMB's approval of the rule-related ICRs and any OMB Terms of Clearance online at *https://www.reginfo.gov/public/do/PRASearch* by searching for the record using the identified ICR Reference Number.

- Labeling Change for Certain Minimum Risk Pesticides under FIFRA Section 25(b) (OMB Control No. 2070–0187, EPA ICR No. 2475). See the

corresponding final rule issued in the **Federal Register** of December 18, 2015 (80 FR 80653; FRL–9934–44) and the record of OMB's approval of the rule-related ICR under ICR Reference No. 201512–2070–001.

• Agricultural Worker Protection Standard Training, Notification and Recordkeeping (OMB Control No. 2070–0190, EPA ICR No. 2491). See the corresponding final rule issued in the **Federal Register** of November 11, 2015 (80 FR 67496; FRL–9931–81) and the record of OMB's approval of the rule-related ICR under ICR Reference No. 201510–2070–001.

• Pesticides; Certification of Pesticide Applicators (OMB Control No. 2070–0196; EPA ICR No. 2499). See the corresponding final rule issued in the **Federal Register** of January 4, 2017 (82 FR 952; FRL–9956–70) and the record of OMB's approval of the rule-related ICR under ICR Reference No. 201508–2070–002.

• Exemptions of Certain Plant-Incorporated Protectants (PIPs) Derived from Newer Technologies Rulemaking (OMB Control No. 2070–0214; EPA ICR No. 2619). See the corresponding final rule issued in the **Federal Register** of May 31, 2023 (88 FR 34756; FRL–7261–04–OCSPP) and the record of OMB's approval of the rule-related ICR under ICR Reference No. 202305–2070–003.

• Changes to Reporting Requirements for Per- and Polyfluoroalkyl Substances and to Supplier Notifications for Chemicals of Special Concern; Community Right-to-Know Toxic Chemical Release Reporting (OMB Control No. 2070–0226; EPA ICR No.2724). See the corresponding final rule issued in the **Federal Register** of October 31, 2023 (88 FR 74360; FRL–8741–04–OCSPP) and the record of the OMB's approval of the rule-related ICR under ICR Reference No. 202212–2070–001.

• Parent Company Definition for Toxics Release Inventory (TRI) Reporting (OMB Control No. 2070–0216; EPA ICR No.2597). See the corresponding final rule issued in the **Federal Register** of October 21, 2022 (87 FR 63950; FRL–6004–02–OCSPP) and the record of the OMB's approval of the rule-related ICR under ICR Reference No. 202109–2070–001.

• User Fees for the Administration of the Toxic Substances Control Act (TSCA) (OMB Control No. 2070–0208, EPA ICR No. 2567). See the corresponding final rule issued in the **Federal Register** of October 17, 2018 (83 FR 52694; FRL–9984–41–OCSPP) and the record of OMB's approval of the rule-related ICR under ICR Reference No. 201810–2070–001.

• Procedures for Requesting a Chemical Risk Evaluation under TSCA (OMB Control No. 2070–0231, EPA ICR No. 2781). See the corresponding final rule issued in the **Federal Register** of May 3, 2024 (89 FR 37028; FRL–8259–02–OCSPP) and the record of OMB's approval of the rule-related ICR under ICR Reference No. 202405–2070–001.

• Confidential Business Information Claims Under the Toxic Substances Control Act (TSCA) (OMB Control No. 2070–0223; EPA ICR No. 2706). See the corresponding final rule issued in the **Federal Register** of June 7, 2023 (88 FR 37155; FRL–8223–02–OCSPP) and the recored of OMB's approval of the rule-related ICR under ICR reference No. 202205–2070–003.

• Chemical Substances When Manufactured or Processed as Nanoscale Materials; TSCA Reporting and Recordkeeping Requirements (OMB Control No. 2070–0194; EPA ICR No. 2517). See the corresponding final rule issued in the **Federal Register** of January 12, 2017 (82 FR 3641; FRL–9957–81) and the recored of OMB's approval of the rule-related ICR under ICR reference No. 201503–2070–004.

• TSCA Section 8(a) Reporting and Recordkeeping Requirements for Asbestos (OMB Control No. 2070–0222; EPA ICR No. 2711). See the corresponding final rule issued in the **Federal Register** of July 25, 2023 (88 FR 47782; FRL–8632–01–OCSPP) and the record of OMB's approval of the rule-related ICR under ICR Reference No. 202307–2070–002.

• Toxic Substances Control Act Reporting and Recordkeeping Requirements for Perfluoroalkyl and Polyfluoroalkyl Substances (OMB Control No. 2070–0217; EPA ICR No. 2682). See the corresponding final rule issued in the **Federal Register** of October 11, 2023 (88 FR 47782; FRL–7902–02–OCSPP) and the record of OMB's approval of the rule-related ICR under ICR Reference No. 202106–2070–002.

• TSCA Section 8(b) Reporting Requirements for TSCA Inventory Notification (Active-Inactive) Requirements (OMB Control No. 2070–0201, EPA ICR No. 2565). See the corresponding final rule issued in the **Federal Register** of August 11, 2017 (82 FR 37520; FRL–9964–22) and the record of OMB's approval of the rule-related ICR under ICR Reference No. 201708–2070–004.

• Partial Update of the TSCA Section 8(a) Inventory Data Base, Production and Site Reports (Chemical Data Reporting) (OMB Control No. 2070–0162, EPA ICR No. 1884). See the corresponding final rule issued in the **Federal Register** of August 16, 2011 (76 FR 50815; FRL–8872–9) and amended final rule TSCA Inventory Update Reporting Modifications; Chemical Data Reporting on September 6, 2011 (76 FR 54932; FRL–8872–9) (OMB Control No. 2070–0162, EPA ICR No. 1884) and the record of OMB's approval of the rule-related ICR under ICR Reference No. 200905–2070–001.

• Partial Exemption of Certain Chemical Substances from Reporting Additional Chemical Data (OMB Control No. 2070–0162; EPA ICR No. 1884). See the corresponding final rule issued in the **Federal Register** of June 19, 2014 (79 FR 35096; FRL–9910–84) and the record of OMB's approval of the rule-related ICR under ICR Reference No. 201108–2070–002.

• Partial Exemption of Certain Chemical Substances from Reporting Additional Chemical Data (OMB Control No. 2070–0162; EPA ICR No. 1884). See the corresponding final rule issued in the **Federal Register** of March 29, 2016 (81 FR 17392; FRL–9941–19) and the record of OMB's approval of the rule-related ICR under ICR Reference No. 201603–2070–002.

• Small Manufacturer Definition Update for Reporting and Recordkeeping Requirements Under the Toxic Substances Control Act (TSCA) Section 8(a) (OMB Control No. 2070–0162; EPA ICR No. 1884). See the corresponding final rule issued in the **Federal Register** of May 8, 2020 (85 FR 31986; FRL–10008–14) and the record of OMB's approval of the rule-related ICR under ICR Reference No. 201904–2070–006.

• Mercury; Reporting Requirements for TSCA Mercury Inventory (OMB Control No. 2070–0207, EPA ICR No. 2567). See the corresponding final rule issued in the **Federal Register** of June 27, 2018, (83 FR 30054; FRL–9979–74), as amended by a final rule issued in the **Federal Register** of November 8, 2021 (86 FR 61708; FRL–8523–02–OCSPP) and the record of OMB's approval of the rule-related ICR under ICR Reference No. 201806–2070–003.

• Reconsideration of the Dust-Lead Hazard Standards and Dust-Lead Post-Abatement Clearance Levels (OMB Control No. 2070–0227; EPA ICR No. 2760). See the corresponding final rule issued in the **Federal Register** of November 11, 2024 (89 FR 89416; FRL–8524–02–OCSPP) and the record of OMB's approval of the rule-related ICR under ICR Reference No. 202308–2070–001.

• Methylene Chloride; Regulation of Paint and Coating Removal for Consumer Use Under TSCA Section 6(a) (OMB Control No. 2070–0204, EPA ICR

No. 2556). See the corresponding final rule issued in the **Federal Register** of March 27, 2019 (84 FR 11420; FRL–9989–29) and the record of OMB's approval of the rule-related ICR under ICR Reference No. 201903–2070–003.

- Methylene Chloride; Regulation under the Toxic Substances Control Act (OMB Control No. 2070–0204, EPA ICR No. 2735). See the corresponding final rule issued in the **Federal Register** of May 8, 2024 (89 FR 39254; FRL–8155–01–OCSPP) and the record of OMB's approval of the rule-related ICR under ICR Reference No. 202305–2070–001.
- Trichloroethylene (TCE); Regulation under the Toxic Substances Control Act (TSCA) (OMB Control No. 2070–0232, EPA ICR No. 2775). See the corresponding final rule issued in the **Federal Register** of December 17, 2024 (89 FR 102568; FRL–8317–02–OCSPP) and the record of OMB's approval of the rule-related ICR under ICR Reference No. 202311–2070–001.
- Hexachlorobutadiene (HCBD); Regulation of Persistent, Bioaccumulative, and Toxic Chemicals under TSCA Section 6(h) (OMB Control No. 2070–0213, EPA ICR No. 2599). See the corresponding final rule issued in the **Federal Register** of January 6, 2021 (86 FR 922; FRL–10018–90) and the record of OMB's approval of the rule-related ICR under ICR Reference No. 202005–2070–001.
- 2,4,6-tris(tert-butyl)phenol (2,4,6–TTBP); Regulation of Persistent, Bioaccumulative, and Toxic Chemicals under TSCA Section 6(h) (OMB Control No. 2070–0213, EPA ICR No. 2599). See the corresponding final rule issued in the **Federal Register** of January 6, 2021 (86 FR 866; FRL–10018–90) and the record of OMB's approval of the rule-related ICR under ICR Reference No. 202005–2070–001.
- Pentachlorothiophenol (PCTP); Regulation of Persistent, Bioaccumulative, and Toxic Chemicals under TSCA Section 6(h) (OMB Control No. 2070–0213, EPA ICR No. 2599). See the corresponding final rule issued in the **Federal Register** of January 6, 2021 (86 FR 911; FRL–10018–89) and the record of OMB's approval of the rule-related ICR under ICR Reference No. 202005–2070–001.
- Phenol, Isopropylated Phosphate (3:1) (PIP 3:1); Regulation of Persistent, Bioaccumulative, and Toxic Chemicals under TSCA Section 6(h) (OMB Control No. 2070–0213, EPA ICR No. 2599). See the corresponding final rule issued in the **Federal Register** of January 6, 2021 (86 FR 894; FRL–10018–88) and the record of OMB's approval of the rule-related ICR under ICR Reference No. 202005–2070–001.
- Decabromodiphenyl Ether and Phenol, Isopropylated Phosphate (3:1); Revision to the Regulation of Persistent, Bioaccumulative, and Toxic Chemicals under the Toxic Substances Control Act (TSCA) (OMB Control No. 2070–0213, EPA ICR No. 2599). See the corresponding final rule issued in the **Federal Register** of January 6, 2021 (86 FR 866; FRL–10018–90) and the record of OMB's approval of the rule-related ICR under ICR Reference No. 202005–2070–001.
- Decabromodiphenyl Ether and Phenol, Isopropylated Phosphate (3:1); Revision to the Regulation of PBT Chemicals under TSCA (Final Rule) (OMB Control No. 2070–0230, EPA ICR No. 2779). See the corresponding final rule issued in the **Federal Register** of November 19, 2024 (89 FR 91486; FRL–9145–02–OCSPP) and the record of OMB's approval of the rule-related ICR under ICR Reference No. 202401–2070–001.
- Asbestos Part 1; Chrysotile Asbestos; Regulation of Certain Conditions of Use Under the Toxic Substances Control Act (TSCA) (OMB Control No. 2070–0220 EPA ICR No. 2707). See the corresponding final rule issued in the **Federal Register** of March 28, 2024, (89 FR 21970; FRL–8332–01–OCSPP) and the record of OMB's approval of the rule-related ICR under ICR Reference No. 202204–2070–002.
- Perchloroethylene (PCE); Regulation under the Toxic Substances Control Act (TSCA) (OMB Control No. 2070–0233, EPA ICR No. 2740). See the corresponding final rule issued in the **Federal Register** of December 18, 2024 (89 FR 103560; FRL–8329–01–OCSPP) and the record of OMB's approval of the rule-related ICR under ICR Reference No. 202501–2070–002.
- Carbon Tetrachloride (CTC); Regulation under the Toxic Substances Control Act (TSCA) (OMB Control No. 2070–0228, EPA ICR No. 2744). See the corresponding final rule issued in the **Federal Register** of December 18, 2024 (89 FR 103512; FRL–8206–02–OCSPP) and the record of OMB's approval of the rule-related ICR under ICR Reference No. 202308–2070–003.
- Formaldehyde Emissions Standards for Composite Wood Products Act (OMB Control No. 2070–0185, EPA ICR No. 2446). See the corresponding final rule issued in the **Federal Register** of December 12, 2016 (81 FR 89674; FRL–9949–90), and the record of OMB's approval of the rule-related ICR under ICR Reference No. 201611–2070–003.

EPA is also amending the OMB Control Numbers of several existing entries to reflect changes to the OMB Control Numbers since the table was last updated. For example, EPA consolidated the activities that were approved under OMB Control Number 2070–0038 (EPA ICR No. 1188.13) and OMB Control Number 2070–0012 (EPA ICR No. 0574.18) into a single OMB Control Number ICR approved under OMB control number 2070–0038 as announced in the **Federal Register** on June 29, 2022 (87 FR 38745 (FRL–9980–01–OMS)). EPA also consolidated the information collection activities for the following OMB control numbers: 2070–0004 (EPA ICR No. 0575.16); 2070–0017 (EPA ICR No. 1031.12); 2070–0054 (EPA ICR No. 0586.14); and 2070–0067 (EPA ICR No. 1198.10) into a single ICR approved under OMB control number 2070–0224 (EPA ICR No. 2703.01) as announced in the **Federal Register** on August 30, 2022 (87 FR 52967 (FRL–10179 01–OMS)). Finally, the Agency consolidated the following OMB control numbers: 2070–0024 (EPA ICR No. 0597.13); 2070–0039 (EPA ICR No. 1204.14); 2070–0040 (EPA ICR No. 0276.17); 2070–0044 (EPA ICR No. 0278.13); 2070–0052 (EPA ICR No. 0616.13); 2070–0060 (EPA ICR No. 0277.21); 2070–0142 (EPA ICR No. 1693.10); and 2070–0182 (EPA ICR No. 2311.04) into a single ICR approved under OMB control number 2070–0226 (EPA ICR No. 2642.01) as announced in the **Federal Register** on June 30, 2023 (88 FR 42358 (FRL–11117–01–OMS)).

EPA is modifying the table through technical corrections to the text. as well as the consolidation of several listings. Specifically, in some cases the table listing for several sections that now share the same OMB control number have been consolidated into a single listing for the part or subpart when every section shares the same OMB Control Number, and the headings have also been amended to align with redesignations in the CFR that occurred through rulemakings.

III. Statutory and Executive Order Reviews

Additional information about these statutes and Executive Orders can be found at *https://www.epa.gov/laws-regulations/laws-and-executive-orders.*

A. Executive Order 12866: Regulatory Planning and Review

This action is not a significant regulatory action and was therefore not submitted to the Office of Management and Budget (OMB) for review under Executive Order 12866 (58 FR 51735, October 4, 1993).

B. Executive Order 14192: Unleashing Prosperity Through Deregulation

Executive Order 14192 (90 FR 9065, February 6, 2025) does not apply because this action is exempted from review under Executive Order 12866.

C. Paperwork Reduction Act (PRA)

This action does not contain or amend an information collection burden under the PRA, 44 U.S.C. 3501 *et seq.* because it is a technical amendment to 40 CFR 9.1.

D. Regulatory Flexibility Act (RFA)

This action is not subject to the RFA, 5 U.S.C. 601 *et seq.* The RFA applies only to rules subject to notice and comment rulemaking requirements under the APA, 5 U.S.C. 553, or any other statute. This rule is not subject to notice and comment requirements under the APA because the Agency has invoked the APA ''good cause'' exemption (see Unit I.).

E. Unfunded Mandates Reform Act (UMRA)

This action does not contain an unfunded mandate of $100 million (in 1995 dollars and adjusted annually for inflation) or more as described in UMRA, 2. U.S.C. 1531–1538, and does not significantly or uniquely affect small governments. The action imposes no enforceable duty on any State, local or Tribal governments or the private sector.

F. Executive Order 13132: Federalism

This action does not have federalism implications as specified in Executive Order 13132 (64 FR 43255, August 10, 1999), because it will not have substantial direct effects 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.

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

This action will not have tribal implications as defined in Executive Order 13175 (65 FR 67249, November 9, 2000) because this action will not have substantial direct effects on tribal governments, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes.

H. Executive Order 13045: Protection of Children From Environmental Health Risks and Safety Risks

This action is not subject to Executive Order 13045 (62 FR 19885, April 23, 1997), because it does not address environmental health or safety risks disproportionately affecting children. Since this action does not concern human health, EPA's 2021 Policy on Children's Health also does not apply.

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

This action is not a ''significant energy action'' as defined in Executive Order 13211 (66 FR 28355, May 22, 2001), because it is not likely to have any adverse effect on the supply, distribution or use of energy.

J. National Technology Transfer and Advancement Act (NTTAA)

This action does not involve technical standards under the NTTAA section 12(d), 15 U.S.C. 272.

K. Congressional Review Act (CRA)

This action is subject to the CRA, 5 U.S.C. 801 *et seq.,* and EPA will submit a rule report to each House of the Congress and to the Comptroller General of the United States. This does not meet the criteria set forth in 5 U.S.C. 804(2).

List of Subjects in 40 CFR Part 9

Environmental protection, Reporting and recordkeeping requirements.

Dated: June 18, 2025.

Nancy B. Beck,

Principal Deputy Assistant Administrator, Office of Chemical Safety and Pollution Prevention.

For the reasons stated in the preamble, 40 CFR chapter I is amended as follows:

PART 9—OMB APPROVALS UNDER THE PAPERWORK REDUCTION ACT

■ 1. The authority citation for part 9 continues to read as follows:

Authority: 7 U.S.C. 135 *et seq.,* 136–136y; 15 U.S.C. 2001, 2003, 2005, 2006, 2601–2671, 21 U.S.C. 331j, 346a, 348; 31 U.S.C. 9701; 33 U.S.C. 1251 *et seq.,* 1311, 1313d, 1314, 1318, 1321, 1326, 1330, 1342, 1344, 1345 (d) and (e), 1361; E.O. 11735, 38 FR 21243, 3 CFR, 1971–1975 Comp. p. 973; 42 U.S.C. 241, 242b, 243, 246, 300f, 300g, 300g–1, 300g–2, 300g–3, 300g–4, 300g–5, 300g–6, 300j–1, 300j–2, 300j–3, 300j–4, 300j–9, 1857 *et seq.,* 6901–6992k, 7401–7671q, 7542, 9601–9657, 11023, 11048.

■ 2. Revise and republish § 9.1 to read as follows:

§ 9.1 OMB approvals under the Paperwork Reduction Act.

This part consolidates the display of control numbers assigned to collections of information in certain EPA regulations by the Office of Management and Budget (OMB) under the Paperwork Reduction Act (PRA). No person is required to respond to an information collection request regulated by the PRA unless a valid control number assigned by OMB is displayed in either this part, another part of the Code of Federal Regulations, a valid **Federal Register** notice, or by other appropriate means.

40 CFR citation	OMB control No.
Public Information	
Part 2, subpart B	2020–0003
Environmental Impact Assessment of Nongovernmental Activities in Antarctica	
Part 3	2025–0003
8.5–8.10	2020–0007
Protection of Human Subjects	
26.1125	2070–0169
26.1303	2070–0169
General Regulation for Assistance Programs for Other Than State and Local Governments	
30.400	2030–0020
30.500	2030–0020

40 CFR citation	OMB control No.
30.501	2030–0020
30.503	2030–0020
30.505	2030–0020
30.510	2030–0020
30.520	2030–0020
30.530	2030–0020
30.531	2030–0020
30.532	2030–0020
30.535	2030–0020
30.1002	2030–0020
30.1003	2030–0020
30.1200	2030–0020
Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments	
31.10	2030–0020
31.20–31.21	2030–0020
31.31–31.32	2030–0020
31.36(g)–31.36(h)	2030–0020
31.40	2030–0020
31.42	2030–0020
31.6	2030–0020
Procurement Under Assistance Agreements	
33.110	2030–0003
33.211	2030–0003
State and Local Assistance	
35.2015	2040–0027
35.2025	2040–0027
35.2034	2040–0027
35.2040	2040–0027
35.2105–35.2107	2040–0027
35.2110	2040–0027
35.2114	2040–0027
35.2118	2040–0027
35.2120	2040–0027
35.2127	2040–0027
35.2130	2040–0027
35.2140	2040–0027
35.2211–35.2212	2040–0027
35.2215–35.2216	2040–0027
35.2218	2040–0027
35.3010	2040–0095
35.3030	2040–0095
35.3130	2040–0118
35.3135	2040–0118
35.3140	2040–0118
35.3145	2040–0118
35.3150	2040–0118
35.3155	2040–0118
35.3160	2040–0118
35.3165	2040–0118
35.3170	2040–0118
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35.3550(a)–(p)	2040–0185
35.3555(a)–(d)	2040–0185
35.3560(a), (d)–(g)	2040–0185
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35.3570(a)–(d)	2040–0185
35.3575(a)–(e)	2040–0185
35.3580(a)–(h)	2040–0185
35.3585(b)–(c)	2040–0185
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35.6055(b)(1)	2050–0179
35.6055(b)(2)(i)–(ii)	2050–0179
35.6105(a)(2)(i)–(v), (vii)	2050–0179
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35.6145	2050–0179
35.6155(a), (c)	2050–0179
35.6230(a), (c)	2050–0179

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35.6585	2050–0179
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35.6600(a)	2050–0179
35.6650	2050–0179
35.6655	2050–0179
35.6660	2050–0179
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49.126(e)(1)(iii)	2060–0558
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49.127(e)	2060–0558
49.130(f)(1)–(2)	2060–0558
49.131(c)(4)–(5)	2060–0558
49.132(d)(1)	2060–0558
49.132(e)(1)	2060–0558
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60.42c	2060–0202
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61.244–61.247	2060–0443
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61.271–61.276	2060–0443
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61.302–61.305	2060–0443
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40 CFR citation	OMB control No.
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265.1033	2050–0050
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40 CFR citation	OMB control No.
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40 CFR citation	OMB control No.
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40 CFR citation	OMB control No.
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40 CFR citation	OMB control No.
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[1] The ICRs referenced in this section of the table encompass the applicable general provisions contained in 40 CFR part 60, subpart A, which are not independent information collection requirements.

[2] The ICRs referenced in this section of the table encompass the applicable general provisions contained in 40 CFR part 61, subpart A, which are not independent information collection requirements.

[3] The ICRs referenced in this section of the table encompass the applicable general provisions contained in 40 CFR part 63, subpart A, which are not independent information collection requirements.

[FR Doc. 2025–11573 Filed 6–27–25; 8:45 am]

BILLING CODE 6560–50–P

NATIONAL RAILROAD PASSENGER CORPORATION

49 CFR Part 701

Freedom of Information Act Program

AGENCY: National Railroad Passenger Corporation.

ACTION: Interim final rule.

SUMMARY: The National Railroad Passenger Corporation (''Amtrak'') needs to update the addresses, increase the fees on the fee schedule, and update methodology for filing FOIA requests.

DATES: This rule is effective September 29, 2025. Comments must be received by August 29, 2025.

ADDRESSES: Comments must be submitted in one of the following two ways (please choose only one of the ways listed):

- Electronically at *https://www.regulations.gov.* Follow the ''Submit a comment'' instructions. If you are reading this document on *federalregister.gov,* you may use the green ''SUBMIT A PUBLIC COMMENT'' button beneath this rulemaking's title to submit a comment to the *regulations.gov* docket.
- You may mail written comments to the following address: {FOIA Office, Amtrak, 1 Massachusetts Ave. NW, Washington, DC 20001}. Mailed comments must be received by the close of the comment period.

Do not include any personally identifiable information (such as name, address, or other contact information) or confidential business information that you do not want publicly disclosed. All comments are public records; they are publicly displayed exactly as received, and will not be deleted, modified, or redacted. Comments may be submitted anonymously.

Follow the search instructions on *https://www.regulations.gov* to view public comments.

FOR FURTHER INFORMATION CONTACT: Rebecca Conner, 202–906–3215.

SUPPLEMENTARY INFORMATION: This rule increases the fees for search and processing time from $38 per hour to $50 per hour, to better align with the average fees set by other federal agencies. This rule also updates the addresses for mailing as the offices moved and changed addresses. Finally, this rule adds the link for the FOIA portals for submitting requests.

List of Subjects in 49 CFR Part 701

Freedom of information.

For the reasons stated in the preamble, the National Railroad Passenger Corporation amends 49 CFR part 701 as follows:

PART 701—AMTRAK FREEDOM OF INFORMATION ACT PROGRAM

■ 1. The authority citation for part 701 continues to read as follows:

Authority: 5 U.S.C. 552; 49 U.S.C. 24301(e).

■ 2. Revise and republish § 701.5(b)(2) to read as follows:

§ 701.5 Requirements for making requests.

* * * * *

(b) * * *

(2)The request must be addressed to the Freedom of Information Office; National Railroad Passenger Corporation; 1 Massachusetts Avenue NW, Washington, DC 20001. Requests will also be accepted by submission in Amtrak's FOIA portal at *https://pal-amtrak.efoia-host.com/* or through the National FOIA Portal at *https://www.foia.gov/.* Amtrak cannot assure that a timely or satisfactory response under this part will be given to written requests addressed to Amtrak offices, officers, or employees other than the FOIA Office. Amtrak employees receiving a communication in the nature of a FOIA request shall forward it to the FOIA Office expeditiously. Amtrak shall advise the requesting party of the date that an improperly addressed request is received by the FOIA Office.

* * * * *

■ 3. Revise and republish § 701.10(a)(2) to read as follows:

§ 701.10 Appeals.

(a) * * *

(2) The appeal must be addressed to the Executive Vice President, Chief Legal and Human Resources Officer; National Railroad Passenger Corporation; 1 Massachusetts Avenue NW, Washington, DC 20001.

* * * * *

■ 4. Revise and republish § 701.11(a) to read as follows:

§ 701.11 Fees.

(a) Amtrak shall charge for processing requests under the FOIA in accordance with this section. A fee of $50 per hour shall be charged for search and review. For information concerning other processing fees, refer to paragraph (e) of this section. Amtrak shall collect all applicable fees before releasing copies of requested records to the requesting party. Payment of fees shall be made by check or money order payable to the National Railroad Passenger Corporation.

* * * * *

Dated: June 23, 2025.

Rebecca Conner,

Manager of Records and Information Management.

[FR Doc. 2025–12035 Filed 6–27–25; 8:45 am]

BILLING CODE P

Proposed Rules

Federal Register
Vol. 90, No. 123
Monday, June 30, 2025

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

DEPARTMENT OF AGRICULTURE

Rural Housing Service

7 CFR 3560

[Docket No. RHS–24–MFH–0044]

RIN 0575–AD44

Revisions to the Calculation of Annual Household Income and Net Family Assets in the Section 515 Rural Rental Housing and Section 514/516 Farm Labor Housing Programs

AGENCY: Rural Housing Service, U.S. Department of Agriculture (USDA).

ACTION: Proposed rule.

SUMMARY: The Rural Housing Service (RHS or Agency), a Rural Development (RD) agency of the United States Department of Agriculture (USDA), proposes to amend its regulation to implement changes related to income calculation and net family assets for properties that receive funding from the Multi-Family Housing (MFH) Section 515 Rural Rental Housing and the Section 514/516 Farm Labor Housing Direct Loan and Grant programs. These proposed changes are intended to align the Agency's annual income certification requirements with the Housing Opportunity Through Modernization Act of 2016 (HOTMA).

DATES: Comments must be submitted on or before August 29, 2025.

ADDRESSES: Comments may be submitted by going to the Federal eRulemaking Portal, *regulations.gov/.* In the ''Search for dockets and documents on agency actions'' box, enter the docket number, [Docket No. RHS–24–MFH–0044], and click ''Search'' button. From the search results: click on or locate the document title: ''[7 CFR part 3560—Revisions to the Calculation of Annual Household Income and Net Family Assets in the Section 515 Rural Rental Housing and Section 514/516 Farm Labor Housing Programs]'' and select the ''Comment'' button. Before inputting comments, commenters may review the ''Commenter's Checklist'' (optional). To submit a comment: Insert comments under the ''Comment'' title, click ''Browse'' to attach files (if available), input email address, select box to opt to receive email confirmation of submission and tracking (optional), select the box ''I'm not a robot,'' and then select ''Submit Comment''. Information on using *Regulations.gov,* including instructions for accessing documents, submitting comments, and viewing the docket after the close of the comment period, is available under the site's ''FAQ'' link.

All comments will be available for public inspection online at the Federal eRulemaking Portal (*regulations.gov*).

Other Information: Additional information about Rural Development and its programs is available on the internet at *http://www.rurdev.usda.gov/index.html.*

In accordance with 5 U.S.C. 553(b)(4), a summary of this proposed rule may be found by going to *https://www.regulations.gov* and in the ''Search for dockets and documents on agency actions'' box, enter the following docket number RHS–24–MFH–0044.

FOR FURTHER INFORMATION CONTACT: Julie Felhofer, Multi-Family Housing Asset Management Division, Rural Housing Service, 1400 Independence Avenue SW, Washington, DC 20250–0782, Telephone: (715) 295–4069; Email: *julie.felhofer@usda.gov.*

SUPPLEMENTARY INFORMATION:

I. Authority

Section 510(k) of Title V the Housing Act of 1949 (42 U.S.C. 1480(k)), as amended, authorizes the Secretary of the Department of Agriculture to promulgate rules and regulations as deemed necessary to carry out the purpose of that title. The MFH programs are implemented under 7 CFR part 3560.

II. Background

RHS offers a variety of programs to build or improve housing and essential community facilities in rural areas. RHS offers loans, grants, and loan guarantees for Single- and Multi-Family housing, childcare centers, fire and police stations, hospitals, libraries, nursing homes, schools, first responder vehicles and equipment, housing for farm laborers and much more. RHS also provides technical assistance loans and grants in partnership with non-profit organizations, Indian Tribes, State and Federal Government agencies, and local communities.

MFH assists rural property owners through loans, loan guarantees, and grants that enable owners to develop and rehabilitate properties for low-income, elderly, and disabled individuals and families as well as domestic farm laborers.

On July 29, 2016, HOTMA (Pub. L. 114–201) was signed into law and made numerous modifications to the Housing Act of 1937 (1937 Act) affecting numerous federal rental assistance programs, which include RD MFH rental assistance programs.

III. Discussion of the Proposed Rule

The Department of Housing and Urban Development (HUD) finalized its implementation of HOTMA and published a final rule on February 14, 2023 (88 FR 9600), which included significant changes to how HUD calculates annual income and net family assets. As a result, MFH is proposing to amend its regulation at 7 CFR 3560 to align itself with HUD and therefore, be in compliance with HOTMA.

Under the RHS MFH program, tenants must annually certify their household income. 7 CFR 3560.153(a) currently requires that annual income be calculated in accordance with HUD's regulation at 24 CFR 5.609. MFH intends to continue to reference HUD's regulation in 7 CFR 3560.153(a) and will incorporate HUD's revised definition of ''annual income'' found at 24 CFR 5.609(a) and (b). The Agency also intends to add new language to 7 CFR 3560.153 to clarify that ''net family assets'' will be calculated in accordance with HUD's regulation at 24 CFR 5.603(b).

IV. Summary of Changes

The Agency proposes the following changes that are intended to align the MFH Rental Assistance Programs with the income and asset calculation updates, as required by HOTMA:

1. Update 7 CFR 3560.153 (a) stating that annual income will be calculated in accordance with 24 CFR 5.609 (a) and (b).

2. Add a new paragraph at 7 CFR 3560.153(c) stating that net family assets will be calculated in accordance with 24 CFR 5.603(b).

V. Executive Orders and Acts

Executive Order 12372, Intergovernmental Review of Federal Programs

These loans are subject to the provisions of Executive Order 12372, which require intergovernmental consultation with state and local officials. RHS conducts intergovernmental consultations for each loan in accordance with 2 CFR part 415, subpart C.

Executive Order 12866, Regulatory Planning and Review

This proposed rule has been determined to be not significant and, therefore, was not reviewed by the Office of Management and Budget (OMB) under Executive Order 12866.

Executive Order 12988, Civil Justice Reform

This proposed rule has been reviewed under Executive Order 12988. In accordance with this rulemaking: (1) Unless otherwise specifically provided, all state and local laws that conflict with this rulemaking will be preempted; (2) no retroactive effect will be given to this rulemaking except as specifically prescribed in the rule; and (3) administrative proceedings of the National Appeals Division of the Department of Agriculture (7 CFR part 11) must be exhausted before suing in court that challenges action taken under this rulemaking.

Executive Order 13132, Federalism

The policies contained in this proposed rule do not have any substantial direct effect on States, on the relationship between the National Government and the States, or on the distribution of power and responsibilities among the various levels of government. This proposed rule does not impose substantial direct compliance costs on State and local governments; therefore, consultation with States is not required.

Executive Order 13175, Consultation and Coordination With Indian Tribal Governments

This proposed rule has been reviewed in accordance with the requirements of Executive Order 13175, ''Consultation and Coordination with Indian Tribal Governments.'' Executive Order 13175 requires Federal agencies to consult and coordinate with Tribes on a government-to-government basis on policies that have Tribal implications, including regulations, legislative comments or proposed legislation, and other policy statements or actions that have substantial direct effects on one or more Indian Tribes, on the relationship between the Federal Government and Indian Tribes or on the distribution of power and responsibilities between the Federal Government and Indian Tribes. Consultation is also required for any regulation that preempts Tribal law or that imposes substantial direct compliance costs on Indian Tribal governments and that is not required by statute.

The Agency has determined that this proposed rule does not, to our knowledge, have Tribal implications that require formal Tribal consultation under Executive Order 13175. If a Tribe requests consultation, the Agency will work with the Office of Tribal Relations to ensure meaningful consultation is provided where changes, additions and modifications identified herein are not expressly mandated by Congress.

Assistance Listing

The programs affected by this regulation are listed in the Assistance Listing Catalog (formerly Catalog of Federal Domestic Assistance) under number 10.415—Rural Rental Housing Loans, 10.427—Rural Rental Assistance Payments, 10.405—Farm Labor Housing Loans and Grants.

Civil Rights Impact Analysis

RD has reviewed this proposed rule in accordance with USDA Regulation 4300–004, Civil Rights Impact Analysis, to identify any major civil rights impacts the proposed rule might have on program participants on the basis of age, race, color, national origin, sex, or disability. After review and analysis of the proposed rule and available data, it has been determined that implementation of the rulemaking will not adversely or disproportionately impact very low, low- and moderate-income populations, minority populations, women, Indian tribes, or persons with disability by virtue of their race, color, national origin, sex, age, disability, or marital or familial status. No major civil rights impact is likely to result from this proposed rule.

E-Government Act Compliance

RHS is committed to complying with the E-Government Act by promoting the use of the internet and other information technologies to provide increased opportunities for citizen access to government information, services, and other purposes.

National Environmental Policy Act

In accordance with the National Environmental Policy Act of 1969, Public Law 91–190, this proposed rule has been reviewed in accordance with 7 CFR part 1970 (''Environmental Policies and Procedures''). The Agency has determined that (i) this action meets the criteria established in 7 CFR 1970.53(f); (ii) no extraordinary circumstances exist; and (iii) the action is not ''connected'' to other actions with potentially significant impacts, is not considered a ''cumulative action'' and is not precluded by 40 CFR 1506.1. Therefore, the Agency has determined that the action does not have a significant effect on the human environment, and therefore neither an Environmental Assessment nor an Environmental Impact Statement is required.

Paperwork Reduction Act

The information collection requirements contained in this regulation have been approved by OMB and have been assigned OMB control number 0575–0189. This proposed rule contains no new reporting and recordkeeping requirements that would require approval under the Paperwork Reduction Act of 1995 (44 U.S.C. chapter 35).

Regulatory Flexibility Act

This proposed rule has been reviewed with regard to the requirements of the Regulatory Flexibility Act (5 U.S.C. 601–612). The undersigned has determined and certified by signature on this document that this proposed rule will not have a significant economic impact on a substantial number of small entities since this rulemaking action does not involve a new or expanded program nor does it require any more action on the part of a small business than required of a large entity.

Unfunded Mandates Reform Act (UMRA)

Title II of the UMRA, Public Law 104–4, establishes requirements for Federal agencies to assess the effects of their regulatory actions on State, local, and Tribal governments and on the private sector. Under section 202 of the UMRA, Federal agencies generally must prepare a written statement, including cost-benefit analysis, for proposed and final rules with ''Federal mandates'' that may result in expenditures to State, local, or Tribal governments, in the aggregate, or to the private sector, of $100 million or more in any one year. When such a statement is needed for a rule, section 205 of the UMRA generally requires a Federal agency to identify and consider a reasonable number of regulatory alternatives and adopt the least costly, more cost-effective, or least burdensome

alternative that achieves the objectives of the rule.

This proposed rule contains no Federal mandates (under the regulatory provisions of title II of the UMRA) for State, local, and Tribal governments or for the private sector. Therefore, this proposed rule is not subject to the requirements of sections 202 and 205 of the UMRA.

Non-Discrimination Statement Policy

Nondiscrimination Statement

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

Persons with disabilities who require alternative means of communication for program information (*e.g.,* Braille, large print, audiotape, American Sign Language, etc.) should contact the State or local Agency that administers the program or contact USDA through the Telecommunications Relay Service at 711 (voice and TTY). Additionally, program information may be made available in languages other than English.

To file a program discrimination complaint, a complainant should complete a Form AD–3027, USDA Program Discrimination Complaint Form, which can be obtained online at *https://www.usda.gov/sites/default/files/documents/ad-3027.pdf* and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632–9992. Submit your completed form or letter to USDA by:

(1) *Mail:* U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue SW, Mail Stop 9410, Washington, DC 20250–9410; or

(2) *Fax:* (202) 690–7442; or

(3) *Email: program.intake@usda.gov.*

USDA is an equal opportunity provider, employer, and lender.

Severability

It is USDA's intention that the provisions of this proposed rule shall operate independently of each other. In the event that this proposed rule or any portion of this rule is ultimately declared invalid or stayed as to a particular provision, it is USDA's intent that this proposed rule nonetheless be severable and remain valid with respect to those provisions not affected by a declaration of invalidity or stayed. USDA concludes it would separately adopt all of the provisions contained in this proposed rule.

List of Subjects in 7 CFR 3560

Accounting, Administrative practice and procedure, Aged, Conflicts of interest, Government property management, Grant programs—housing and community development, Insurance, Loan programs—agriculture, Loan programs—housing and community development, Low and moderate-income housing, Migrant labor, Mortgages, Nonprofit organizations, Public housing, Rent—subsidies, Reporting and recordkeeping requirements, Rural areas.

For the reasons set forth in the preamble, Rural Housing Service proposes to amend 7 CFR part 3560 as follows:

PART 3560—DIRECT MULTI-FAMILY HOUSING LOANS AND GRANTS

■ 1. The authority citation for part 3560 continues to read as follows:

Authority: 42 U.S.C. 1480.

■ 2. Amend § 3560.153 by revising paragraph (a) and adding paragraph (c) to read as follows:

§ 3560.153 Calculation of household income and assets.

(a) Annual income will be calculated in accordance with 24 CFR 5.609(a) and (b).

* * * * *

(c) Net family assets will be calculated in accordance with 24 CFR 5.603(b).

Christine Mechtly,

Acting Administrator, Rural Housing Service.

[FR Doc. 2025–10306 Filed 6–27–25; 8:45 am]

BILLING CODE 3410–XV–P

DEPARTMENT OF AGRICULTURE

Rural Housing Service

7 CFR Part 3565

[Docket No. RHS–24–MFH–0024]

RIN 0575–AD42

Multifamily Housing Guaranteed Rural Rental Housing Program Requirement To Submit a Market Study

AGENCY: Multifamily Housing, Rural Housing Service, U.S. Department of Agriculture (USDA).

ACTION: Proposed rule.

SUMMARY: The Rural Housing Service (RHS or Agency), an agency of the Rural Development (RD), within the United States Department of Agriculture (USDA), is issuing a proposed rule to amend its regulation that will require applicants (lenders) to submit a market study as part of the complete application for the Guaranteed Rural Rental Housing Program (GRRHP) loan guarantee. This change will require all applicants to use a market study when demonstrating market need for new construction.

DATES: Comments must be submitted electronically on or before August 29, 2025 by using the Federal eRulemaking Portal: *http://www.regulations.gov.* Details on how to submit comments to the Federal eRulemaking Portal are in the **ADDRESSES** section of this proposed rule.

ADDRESSES: Comments may be submitted electronically by the Federal eRulemaking Portal: Go to *http://www.regulations.gov* and, in the ''Search Field'' box, labeled ''Search for dockets and documents on agency actions,'' enter the following docket number: (RHS–24–MFH–0024) or RIN# 0575–AD42, then click search. To submit or view public comments, select the following document title: (Guaranteed Rural Rental Housing Program Requirement to Submit a Market Study) from the ''Search Results,'' and select the ''Comment'' button. Before inputting your comments, you may also review the ''Commenter's Checklist'' (optional). Insert your comments under the ''Comment'' title, click ''Browse'' to attach files (if available). Input your email address and select ''Submit Comment.'' Information on using *http://www.regulations.gov,* including instructions for accessing documents, submitting comments, and viewing the docket after the close of the comment period, is available through the site's ''FAQ'' link.

Other Information: Additional information about Rural Development and its programs is available on the internet at *rd.usda.gov.*

All comments will be available for public inspection online at the Federal eRulemaking Portal (*http://www.http://www.regulations.gov*).

FOR FURTHER INFORMATION CONTACT: Abby Boggs, Program Support Branch, Production and Preservation Division, Rural Housing Service, Stop 0782, 1400 Independence Avenue SW, Washington, DC 20250–0782, Telephone: (615) 490–1371 or Email: *abby.boggs@usda.gov.*

SUPPLEMENTARY INFORMATION:

I. Background

Rural Development is an advocate for rural America, administering a multitude of programs, ranging from housing and community facilities to infrastructure and business development. The Agency's mission is to increase economic opportunity and improve the quality of life in rural communities by providing the leadership, infrastructure, capital, and technical support that enables rural communities to prosper. To achieve its mission, the Agency provides financial support, including loan guarantees, direct loans and grants, and technical assistance to enhance the quality of life and provide the foundation for economic development in rural areas.

The RHS offers a variety of programs to build or improve housing and essential community facilities in rural areas. RHS offers loans, grants, and loan guarantees for single- and multifamily housing, childcare centers, fire and police stations, hospitals, libraries, nursing homes, schools, first responder vehicles and equipment, housing for farm laborers and much more. RHS also provides technical assistance, loans, and grants in partnership with non-profit organizations, Indian Tribes, State and Federal government agencies, and local communities.

GRRHP, a program in the RHS, provides up to a 90 percent guarantee for loans made by commercial lenders to borrowers developing or rehabilitating multifamily rental housing for low- and moderate-income tenants in rural areas. The program works with qualified private-sector lenders to provide financing to qualified borrowers to increase the supply of affordable rental housing for low- and moderate-income individuals and families in eligible rural areas and towns.

II. Purpose of the Proposed Rule

The intent of this proposed rulemaking is for the GRRHP to increase the supply of affordable rural rental housing by using loan guarantees to encourage partnerships between the RHS, private lenders, and public agencies. GRRHP is authorized by Section 538 of the Housing Act of 1949. 7 CFR part 3565 sets forth the regulatory requirements for the GRRHP.

7 CFR part 3565 currently requires that applications for a loan guarantee submitted by lenders must include a loan request for projects that demonstrate market feasibility for affordable rental housing. Currently, the regulation makes references to market assessment but does not specify the type of documentation the lender must submit to demonstrate the need. Some provide it in the form of a market study, while others provide the information in other formats, but there is no specific requirement that a market study be submitted. This creates inconsistencies of submitted documentation to the Agency to demonstrate market demand.

The purpose of a market study is to assure there is enough sustainable demand for additional rental housing units without adversely impacting the existing supply and to maintain a balanced overall market. A typical market study includes an assessment of the impact the proposed project will have on existing rental developments.

The Agency is proposing to amend 7 CFR 3565.254(b) to require that applicants (lenders) submit a market study to demonstrate market need as part of the complete application for a Section 538 Guaranteed Rural Rental Housing loan guarantee for a new construction property to create consistency in the application process.

Lenders must provide documentation during the application process that there is a need for the affordable rental housing in the defined market area in which new units are proposed to be built as one of the conditions for receiving a loan guarantee. 7 CFR part 3565 does not specify the documentation that should be submitted to the Agency. In keeping with the precedent of other affordable housing programs, the Agency currently accepts a market study from applicants seeking a loan guarantee, but there is no regulatory requirement to do so. The Agency anticipates that this regulatory change will allow the Agency to enforce the requirement that applicants must submit a market study as a part of a complete Section 538 GRRHP application to determine feasibility of the project.

Request for Comment

Stakeholder input is vital to ensure the changes in the proposed rule would support the Agency's mission, while ensuring that new regulations and policies are reasonable and do not overly burden the Agency's lenders and its customers. Comments must be submitted on or before August 29, 2025 and must be submitted electronically by going to the Federal eRulemaking Portal: Details on how to submit comments to the Federal eRulemaking Portal are in the **ADDRESSES** section of this proposed rule.

III. Summary of Changes

The proposed changes are intended to amend 7 CFR 3565.254(b) by adding the requirement that a market study must be submitted with a complete application for new construction. The market study determines the need and feasibility of housing in a particular rural area, which would allow the Agency to be more responsive to the needs of the program's rural stakeholders and housing market.

IV. Regulatory Information

Statutory Authority

Section 510(k), Title V, of the Housing Act of 1949 42 U.S.C. 1480(k)), authorizes the Secretary of the Department of Agriculture to promulgate rules and regulations as deemed necessary to carry out the purpose of that title. The Secretary is further authorized to prescribe regulations for the operation of the Department of Agriculture by 5 U.S.C. 301.

Executive Order 12372, Intergovernmental Review of Federal Programs

These loans are subject to the provisions of Executive Order 12372, which require intergovernmental consultation with State and local officials. RHS conducts intergovernmental consultations for each loan in accordance with 2 CFR part 415, subpart C.

Executive Orders 12866

Executive Orders 12866 (Regulatory Planning and Review) directs agencies to assess the costs and benefits of available regulatory alternatives and, if a regulation is necessary, to select regulatory approaches that maximize net benefits (including potential economic, environmental, public health and safety effects, distributive impacts, and equity). This proposed rule has been determined to be non-significant and, therefore, was not reviewed by the Office of Management and Budget (OMB) under Executive Order 12866.

Executive Order 12988, Civil Justice Reform

This proposed rule has been reviewed under Executive Order 12988. In accordance with this proposed rule: (1) unless otherwise specifically provided, all State and local laws that conflict with this proposed rule will be preempted; (2) no retroactive effect will be given to this proposed rule except as specifically prescribed in the proposed rule; and (3) administrative proceedings of the National Appeals Division of the Department of Agriculture (7 CFR part 11) must be exhausted before bringing suit in court that challenges action taken under this proposed rule.

Executive Order 13132, Federalism

The policies contained in this proposed rule do not have any substantial direct effect on states, on the relationship between the national government and states, or on the distribution of power and responsibilities among the various levels of government. This proposed rule does not impose substantial direct compliance costs on state and local governments. Therefore, consultation with the states is not required and a federal summary impact statement is not required.

Executive Order 13175, Consultation and Coordination With Indian Tribal Governments

Reforming Federal Funding and Support for Tribal Nations to Better Embrace Our Trust Responsibilities and Promote the Next Era of Tribal Self-Determination. This proposed rule has been reviewed in accordance with the requirements of Executive Order 13175, Consultation and Coordination with Indian Tribal Governments. Executive Order 13175 requires Federal agencies to consult and coordinate with tribes on a government-to-government basis on policies that have tribal implications, including regulations, legislative comments or proposed legislation, and other policy statements or actions that have substantial direct effects on one or more Indian tribes, on the relationship between the Federal government and Indian tribes or on the distribution of power and responsibilities between the Federal government and Indian tribes. Consultation is also required for any regulation that preempts tribal law or that imposes substantial direct compliance costs on Indian tribal governments and that is not required by statute.

The Agency has determined that this proposed rule does not, to our knowledge, have Tribal implications that require formal Tribal consultation under Executive Order 13175. If a Tribe requests consultation, the RHS will work with the Office of Tribal Relations and USDA Rural Development's Tribal Relations Team to ensure meaningful consultation is provided where changes, additions and modifications identified herein are not expressly mandated by Congress.

Regulatory Flexibility Act

The Regulatory Flexibility Act (5 U.S.C. 601–602) (RFA) generally requires an agency to prepare a regulatory flexibility analysis of any rule subject to notice and comment rulemaking requirements under the Administrative Procedure Act (''APA'') or any other statute. The Administrative Procedures Act exempts from notice and comment requirements rules ''relating to agency management or personnel or to public property, loans, grants, benefits, or contracts'' (5 U.S.C. 553(a)(2)); therefore, an analysis has not been prepared for this proposed rule.

Unfunded Mandates Reform Act

Title II of the UMRA, Public Law 104–4, establishes requirements for Federal Agencies to assess the effects of their regulatory actions on State, local, and Tribal Governments and on the private sector. Under section 202 of the UMRA, Federal Agencies generally must prepare a written statement, including cost-benefit analysis, for proposed and final rules with ''Federal mandates'' that may result in expenditures to State, local, or Tribal Governments, in the aggregate, or to the private sector, of $100 million or more in any, one-year. When such a statement is needed for a rule, section 205 of the UMRA generally requires a Federal Agency to identify and consider a reasonable number of regulatory alternatives and adopt the least costly, more cost-effective, or least burdensome alternative that achieves the objectives of the rule.

This proposed rule contains no Federal mandates (under the regulatory provisions of title II of the UMRA) for State, local, and Tribal Governments or for the private sector. Therefore, this proposed rule is not subject to the requirements of sections 202 and 205 of the UMRA.

National Environmental Policy Act

In accordance with the National Environmental Policy Act of 1969, Public Law 91–190, this proposed rule has been reviewed in accordance with 7 CFR part 1970 (''Environmental Policies and Procedures''). The Agency has determined that (i) this action meets the criteria established in 7 CFR 1970.53(f); (ii) no extraordinary circumstances exist; and (iii) the action is not ''connected'' to other actions with potentially significant impacts, is not considered a ''cumulative action'' and is not precluded by 40 CFR 1506.1. Therefore, the Agency has determined that the action does not have a significant effect on the human environment, and therefore neither an Environmental Assessment nor an Environmental Impact Statement is required.

Civil Rights Impact Analysis

RD has reviewed this proposed rule in accordance with USDA Regulation 4300–4, Civil Rights Impact Analysis,'' to identify any major civil rights impacts the rule might have on program participants on the basis of age, race, color, national origin, sex, disability, marital status, familial status, parental status, veteran status, religion, reprisal and/or resulting from all or a part of an individual's income being derived from any public assistance program. This proposed rule is within a Guarantee-based program. Guarantees are not covered under Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, and Title IX of the Education Amendments Act of 1972, as amended, when the Federal assistance does not include insurance or interest credit loans. Lenders must comply with other applicable Federal laws, including Equal Employment Opportunities, the Equal Credit Opportunity Act, the Fair Housing Act, and the Civil Rights Act of 1964. Guaranteed loans that involve the construction of or addition to facilities that accommodate the public must comply with the Architectural Barriers Act Accessibility Standard. The borrower and lender are responsible for ensuring compliance with these requirements.

Assistance Listing

The program affected by this proposed rule is listed in the Assistance Listing (AL) (formerly Catalog of Federal Domestic Assistance) for Guaranteed Number 10.438 Rural Rental Housing Guaranteed Loans (Section 538).

Paperwork Reduction Act

This proposed rule contains no new reporting or recordkeeping burdens under OMB control number 0575–0179 that would require approval under the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35).

E-Government Act Compliance

Rural Development is committed to the E-Government Act, which requires

Government agencies in general to provide the public the option of submitting information or transacting business electronically to the maximum extent possible and to promote the use of the internet and other information technologies to provide increased opportunities for citizen access to Government information and services, and for other purposes.

USDA Non-Discrimination Policy

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

Persons with disabilities who require alternative means of communication for program information (*e.g.,* Braille, large print, audiotape, American Sign Language, etc.) should contact the State or local Agency that administers the program or contact USDA through the Telecommunications Relay Service at 711 (voice and TTY). Additionally, program information may be made available in languages other than English.

To file a program discrimination complaint, a complainant should complete a Form AD–3027, USDA Program Discrimination Complaint Form, which can be obtained online at *https://www.usda.gov/sites/default/files/documents/ad-3027.pdf* and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632–9992. Submit your completed form or letter to USDA by:

a. *Mail:* U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue SW, Mail Stop 9410, Washington, DC 20250–9410; or

b. *Fax:* (202) 690–7442; or

c. *Email: program.intake@usda.gov.*

Severability

It is USDA's intention that the provisions of this proposed rule shall operate independently of each other. If this proposed rule or any portion of this proposed rule is ultimately declared invalid or stayed as to a particular provision, it is USDA's intent that the proposed rule nonetheless be severable and remain valid with respect to those provisions not affected by a declaration of invalidity or stayed. USDA concludes it would separately adopt all the provisions contained in this proposed rule.

List of Subjects in 7 CFR Part 3565

Conflict of interest, Credit, Fair housing, Loan programs—housing and community development, Low- and moderate-income housing, Manufactured homes, Mortgages, Rent subsidies, Reporting and recordkeeping requirements, Rural areas.

For the reasons discussed in the preamble, the Agency is proposing to amend 7 CFR part 3565 as follows:

PART 3565—GUARANTEED RURAL RENTAL HOUSING PROGRAM

■ 1. The authority citation for part 3565 continues to read as follows:

Authority: 5 U.S.C. 301 42 U.S.C. 1480.

■ 2. Amend § 3565.254 by revising paragraphs (b)(2) and (3) and adding paragraph (b)(5) to read as follows:

§ 3565.254 Property Standards.

* * * * *

(b) * * *

(2) A Phase I Environmental Site Assessment (American Society of Testing and Materials) in accordance with 7 CFR part 1970.

(3) A Standard Flood Hazard Determination in accordance with 7 CFR part 1970.

* * * * *

(5) In the case of new construction, a market study is required. The market study will be used to determine market feasibility. This is separate from the review outlined in § 3565.303(a) which allows the applicant the option to request a preliminary feasibility review by the Agency when required loan documentation is submitted.

Christine Mechtly,

Acting Administrator, Rural Housing Service.

[FR Doc. 2025–10305 Filed 6–27–25; 8:45 am]

BILLING CODE 3410–XV–P

DEPARTMENT OF AGRICULTURE

Food Safety and Inspection Service

9 CFR Part 319

[Docket No. FSIS–2025–0016]

RIN 0583–AE06

Removal of Standard of Identity for Canned ''Tripe With Milk''

AGENCY: Food Safety and Inspection Service (FSIS), U.S. Department of Agriculture (USDA).

ACTION: Notice of proposed rulemaking.

SUMMARY: FSIS is proposing to remove the standard of identity for canned ''Tripe with Milk.'' Although some establishments may continue to produce canned tripe with milk products, FSIS has determined that the existing standard for the finished canned article is unnecessary. The preamble to the rule that established the standard in 1950 did not provide any explanation or justification for the standard. Removal of the standard would provide greater flexibility for establishments. FSIS' labeling requirements are sufficient to ensure that these products are not misbranded.

DATES: Comments must be received by July 30, 2025.

ADDRESSES: FSIS invites interested persons to submit comments on this proposed rule. Comments may be submitted by one of the following methods:

- *Federal eRulemaking Portal:* This website provides the ability to type short comments directly into the comment field on this web page or attach a file for lengthier comments. Go to *https://www.regulations.gov.* Follow the on-line instructions at that site for submitting comments.
- *Mail:* Send to Docket Clerk, U.S. Department of Agriculture, Food Safety and Inspection Service, 1400 Independence Avenue SW, Mailstop 3758, Washington, DC 20250–3700.
- *Hand- or Courier-Delivered Submittals:* Deliver to 1400 Independence Avenue SW, Jamie L. Whitten Building, Room 350–E, Washington, DC 20250–3700.

Instructions: All items submitted by mail or electronic mail must include the Agency name and docket number FSIS–2025–0016. Comments received in response to this docket will be made available for public inspection and posted without change, including any personal information, to *https://www.regulations.gov.*

Docket: For access to background documents or comments received, call

(202) 720–5046 to schedule a time to visit the FSIS Docket Room at 1400 Independence Avenue SW, Washington, DC 20250–3700.

FOR FURTHER INFORMATION CONTACT: Denise Eblen, Acting Deputy Under Secretary for the Office of Food Safety, at (202) 205–0495 or *docketclerk@usda.gov* with a subject line of ''Docket No. FSIS–2025–0016.'' Individuals in the United States who are deaf, deafblind, hard of hearing, or have a speech disability may dial 711 (TTY, TDD, or TeleBraille) to access telecommunications relay services. Individuals outside the United States should use the relay services offered within their country to make international calls to the point-of-contact in the United States.

SUPPLEMENTARY INFORMATION: FSIS administers the Federal Meat Inspection Act (FMIA) (21 U.S.C. 601 *et seq.*), which authorizes the Secretary to prescribe standards of identity whenever such action is necessary for the protection of the public (21 U.S.C. 607(c)). Seventy-five years ago, the Secretary established a standard of identify for canned ''Tripe with Milk'' at 9 CFR 17.8(c)(44) (15 FR 6285, 6286, September 20, 1950). That section was later redesignated as 9 CFR 319.308 (35 FR 15552, 15601, October 3, 1970). The standard requires the finished canned article to contain at least 65 percent tripe and no less than 10 percent milk. None of the preambles to the proposed or final rules provide any explanation or justification for why this specific formulation was necessary.

FSIS is proposing to remove 9 CFR 319.308 because FSIS has no basis to maintain this requirement and, accordingly, has determined that this standard of identity is not necessary for the protection of the public. Removal of the standard would provide establishments with more flexibility to develop canned products that contain tripe and milk in different proportions or with other ingredients, as long as the labeling remains truthful and not misleading in accordance with 9 CFR 317.8.

Executive Orders (E.O.s) 12866, 13563, 14215, and 14192

Executive Order (E.O.) 12866 provides that the Office of Information and Regulatory Affairs (OIRA) in the Office of Management and Budget will determine whether a regulatory action is significant as defined by E.O. 12866 and will review significant regulatory actions. OIRA has determined that this proposed rule is not significant as defined by E.O. 12866. E.O. 13563 reaffirms the principles of E.O. 12866 while calling for improvements in the Nation's regulatory system to promote predictability, to reduce uncertainty, and to use the best, most innovative, and least burdensome tools for achieving regulatory ends. E.O. 14215 amends E.O. 12866 to ensure Presidential supervision and control of the entire executive branch and to require that all executive departments and agencies submit for review all proposed and final significant regulatory actions to OIRA before publication in the **Federal Register**. The Department has developed the proposed rule consistent with E.O. 13563 and E.O. 14215.

This proposed rule is an E.O. 14192 ''deregulatory action.''

Regulatory Flexibility Act

Under the Regulatory Flexibility Act (RFA) (5 U.S.C. 601–612) (as amended by the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104–121, 110 Stat. 857), agencies must prepare and make available for public comment a regulatory flexibility analysis that describes the effect of the rule on small entities (*i.e.,* small businesses, small organizations, and small government jurisdictions). No regulatory flexibility analysis is required, however, if the head of an agency or an appropriate designee certifies that the rule will not have a significant economic impact on a substantial number of small entities. FSIS has concluded and hereby certifies that, if this proposed rule becomes final, it will not have a significant economic impact on a substantial number of small entities; therefore, an analysis is not included. If this proposed rule becomes final, establishments will not be required to change the way that they formulate or label their products. Because the proposed rule does not impose any new requirements, restrict production, or require relabeling of existing products, it is not expected to have any adverse economic effects on small or very small establishments.

Executive Order 13175

Executive Order 13175 requires Federal agencies to consult and coordinate with Tribes on a government-to-government basis on policies that have Tribal implications, including regulations, legislative comments or proposed legislation, and other policy statements or actions that have substantial direct effects on one or more Indian Tribes, on the relationship between the Federal Government and Indian Tribes, or on the distribution of power and responsibilities between the Federal Government and Indian Tribes. FSIS has assessed the impact of this proposed rule on Indian tribes and determined that this rule would not have tribal implications that require consultation under Executive Order 13175.

Paperwork Reduction Act

In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3521), FSIS has reviewed the proposed rule. The Administrator has determined that this rulemaking would not impact information collection, paperwork, or recordkeeping activities.

E-Government Act Compliance

The Department is committed to complying with the E-Government Act, 2002 (Pub. L. 107–347, 116 Stat. 2899) to promote the use of the internet and other information technologies to provide increased opportunities for citizen access to Government information and services, and for other purposes.

E.O. 13132; Federalism Summary Impact Statement

The proposed rule is deregulatory and has little effect on States and local governments, so FSIS anticipates that if this proposed rule becomes final, it will not have implications for federalism. Therefore, under Section 6(b) of the E.O., a federalism summary is not required.

Environmental Impact

If this proposed rule becomes final, it will not have a reasonably foreseeable significant effect on the quality of the human environment. The proposal would merely provide more flexibility to establishments preparing canned products that contain tripe and milk. The proposal would not require establishments to change their current production practices or labels. Accordingly, this action is appropriately subject to the categorical exclusion from the preparation of an Environmental Assessment or an Environmental Impact Statement as authorized under 7 CFR 1b.4 of the USDA regulations.

USDA Non-Discrimination Statement

In accordance with Federal civil rights law and USDA civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, disability, age, marital status, family/parental status, income derived from a public assistance program, political

beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

Persons with disabilities who require alternative means of communication for program information (*e.g.,* Braille, large print, audiotape, American Sign Language, etc.) should contact the State or local Agency that administers the program or contact USDA through the Telecommunications Relay Service at 711 (voice and TTY). Additionally, program information may be made available in languages other than English.

To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD–3027, found online at *How to File a Program Discrimination Complaint* and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632–9992. Submit your completed form or letter to USDA by: (1) mail: U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue SW, Mail Stop 9410, Washington, DC 20250–9410; (2) fax: (202) 690–7442; or (3) email: *program.intake@usda.gov.*

USDA is an equal opportunity provider, employer, and lender.

Additional Public Notification

Public awareness of all segments of rulemaking and policy development is important. Consequently, FSIS will announce this **Federal Register** publication on-line through the FSIS web page located at: *https://www.fsis.usda.gov/federal-register.* FSIS also will make copies of this publication available through the FSIS *Constituent Update,* which is used to provide information regarding FSIS policies, procedures, regulations, **Federal Register** notices, FSIS public meetings, and other types of information that could affect or would be of interest to our constituents and stakeholders. The *Constituent Update* is available on the FSIS web page. Through the web page, FSIS is able to provide information to a much broader, more diverse audience. In addition, FSIS offers an email subscription service which provides automatic and customized access to selected food safety news and information. This service is available at: *http://www.fsis.usda.gov/subscribe.* Options range from recalls to export information, regulations, directives, and notices. Customers can add or delete subscriptions themselves and have the option to password protect their accounts.

Lists of Subjects in 9 CFR Part 319

Food grades and standards, Food labeling, Frozen foods, Meat inspection, Oils and fats.

For the reasons discussed in the preamble, FSIS is proposing to amend 9 CFR part 319 as follows:

PART 319—DEFINITIONS AND STANDARDS OF IDENTITY OR COMPOSITION

■ 1. The authority citation for part 319 continues to read as follows:

Authority: 7 U.S.C. 1633, 1901–1906; 21 U.S.C. 601–695; 7 CFR 2.18, 2.53.

§ 319.308 [Removed and reserved]

■ 2. Section 319.308 is removed and reserved.

Denise Eblen,

Acting Deputy Under Secretary for the Office of Food Safety.

[FR Doc. 2025–12032 Filed 6–27–25; 8:45 am]

BILLING CODE 3410–DM–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2025–1349; Project Identifier AD–2025–00310–T]

RIN 2120–AA64

Airworthiness Directives; Gulfstream Aerospace Corporation Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: The FAA proposes to adopt a new airworthiness directive (AD) for all Gulfstream Aerospace Corporation Model GVII–G500 and GVII–G600 airplanes. This proposed AD was prompted by a determination that new and more restrictive airworthiness limitations are necessary. This AD requires revising the maintenance or inspection program, as applicable to incorporate new and more restrictive airworthiness limitations. The FAA is proposing this AD to address the unsafe condition on these products.

DATES: The FAA must receive comments on this proposed AD by August 14, 2025.

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

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

AD Docket: You may examine the AD docket at *regulations.gov* under Docket No. FAA–2025–1349; or in person at Docket Operations between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this NPRM, any comments received, and other information. The street address for Docket Operations is listed above.

Material Incorporated by Reference:

- For Gulfstream material in this proposed AD, contact Gulfstream Aerospace Corporation, Technical Publications Dept., P.O. Box 2206, Savannah, GA 31402–2206; telephone 800–810–4853; email *pubs@gulfstream.com;* website *gulfstream.com/en/customer-support.*
- You may view this material at the FAA, Airworthiness Products Section, Operational Safety Branch, 2200 South 216th St., Des Moines, WA.

FOR FURTHER INFORMATION CONTACT: Jeffrey Johnson, Aviation Safety Engineer, FAA, 1701 Columbia Avenue, College Park, GA 30337; phone: 404–474–5554; email: *9-ASO-ATLACO-ADs@faa.gov.*

SUPPLEMENTARY INFORMATION:

Comments Invited

The FAA invites you to send any written relevant data, views, or arguments about this proposal. Send your comments using a method listed under the **ADDRESSES** section. Include ''Docket No. FAA–2025–1349; Project Identifier AD–2025–00310–T'' at the beginning of your comments. The most helpful comments reference a specific portion of the proposal, explain the reason for any recommended change, and include supporting data. The FAA will consider all comments received by the closing date and may amend this proposal because of those comments.

Except for Confidential Business Information (CBI) as described in the following paragraph, and other information as described in 14 CFR 11.35, the FAA will post all comments received, without change, to

regulations.gov, including any personal information you provide. The agency will also post a report summarizing each substantive verbal contact received about this NPRM.

Confidential Business Information

CBI is commercial or financial information that is both customarily and actually treated as private by its owner. Under the Freedom of Information Act (FOIA) (5 U.S.C. 552), CBI is exempt from public disclosure. If your comments responsive to this NPRM contain commercial or financial information that is customarily treated as private, that you actually treat as private, and that is relevant or responsive to this NPRM, it is important that you clearly designate the submitted comments as CBI. Please mark each page of your submission containing CBI as ''PROPIN.'' The FAA will treat such marked submissions as confidential under the FOIA, and they will not be placed in the public docket of this NPRM. Submissions containing CBI should be sent to Jeffrey Johnson, Aviation Safety Engineer, FAA, 1701 Columbia Avenue, College Park, GA 30337; phone: 404–474–5554; email: *9-ASO-ATLACO-ADs@faa.gov.* Any commentary that the FAA receives that is not specifically designated as CBI will be placed in the public docket for this rulemaking.

Background

The FAA has received a report that the airworthiness limitations section (ALS) of the aircraft maintenance manual (AMM) for Gulfstream Aerospace Corporation Model GVII–G500 and GVII–G600 airplanes has been revised to correct errors in the part numbers for certain principal structural elements (PSEs) and include new safe life limit part numbers. The FAA has determined these new and more restrictive airworthiness limitations are necessary. The FAA is issuing this proposed AD to prevent failure of principal structural elements throughout the service life of each part. This condition, if not addressed, could compromise the structural integrity of the airplane.

FAA's Determination

The FAA is issuing this NPRM after determining that the unsafe condition described previously is likely to exist or develop on other products of the same type design.

Material Incorporated by Reference Under 1 CFR Part 51

The FAA reviewed Gulfstream GVII–G500 Maintenance Manual, Airworthiness Limitations, Section 05–10–10, Revision 18, dated March 29, 2024; and Gulfstream GVII–G600 Maintenance Manual, Airworthiness Limitations, Section 05–10–10, Revision 14, dated March 29, 2024. This material specifies more restrictive airworthiness limitations and includes new safe life limit part numbers. These documents are distinct because they apply to different airplane models.

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.

Proposed AD Requirements in This NPRM

This proposed AD would require revising the existing maintenance or inspection program, as applicable to incorporate new and more restrictive airworthiness limitations.

Compliance with these actions is required by 14 CFR 91.403(c). For airplanes that have been previously modified, altered, or repaired in the areas addressed by this proposed AD, the operator may not be able to accomplish the actions described in the revisions. In this situation, to comply with 14 CFR 91.403(c), the operator must request approval for an alternative method of compliance according to paragraph (j) of this proposed AD.

Costs of Compliance

The FAA estimates that this AD, if adopted as proposed, would affect 278 airplanes of U.S. registry. The FAA estimates the following costs to comply with this proposed AD:

The FAA has determined that revising the existing maintenance or inspection program takes an average of 90 work-hours per operator, although the agency recognizes that this number may vary from operator to operator. Since operators incorporate maintenance or inspection program changes for their affected fleet(s), the FAA has determined that a per-operator estimate is more accurate than a per-airplane estimate. Therefore, the FAA estimates the average total cost per operator to be $7,650 (90 work-hours × $85 per work-hour).

Authority for this Rulemaking

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

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

Regulatory Findings

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

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

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

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

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

List of Subjects in 14 CFR Part 39

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

The Proposed Amendment

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

PART 39—AIRWORTHINESS DIRECTIVES

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

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

§ 39.13 [Amended]

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

Gulfstream Aerospace Corporation: Docket No. FAA–2025–1349; Project Identifier AD–2025–00310–T.

(a) Comments Due Date

The FAA must receive comments on this airworthiness directive (AD) by August 14, 2025.

(b) Affected ADs

None.

(c) Applicability

This AD applies to all Gulfstream Aerospace Corporation Model GVII–G500 and GVII–G600 airplanes, certificated in any category.

(d) Subject

Air Transport Association (ATA) of America Code 32, Main Landing Gear.

(e) Unsafe Condition

This AD was prompted by a determination that new and more restrictive airworthiness limitations are necessary. The FAA is issuing this proposed AD to prevent failure of principal structural elements throughout the service life of each part. This condition, if not addressed, could compromise the structural integrity of the airplane.

(f) Compliance

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

(g) Maintenance or Inspection Program Revision

Within 30 days after the effective date of this AD, revise the existing maintenance or inspection program, as applicable, to incorporate the information specified in Gulfstream GVII–G500 Maintenance Manual, Airworthiness Limitations, Section 05–10–10, Revision 18, dated March 29, 2024; and Gulfstream GVII–G600 Maintenance Manual, Airworthiness Limitations, Section 05–10–10, Revision 14, dated March 29, 2024; The initial compliance time for doing the tasks is at the time specified in Gulfstream GVII–G500 Maintenance Manual, Airworthiness Limitations, Section 05–10–10, Revision 18, dated March 29, 2024; and Gulfstream GVII–G600 Maintenance Manual, Airworthiness Limitations, Section 05–10–10, Revision 14, dated March 29, 2024; as applicable, or within 30 days after the effective date of this AD, whichever occurs later.

(h) No Alternative Actions or Intervals

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

(i) Special Flight Permits

Special flight permits, as described in 14 CFR 21.197 and 21.199, are not allowed.

(j) Alternative Methods of Compliance (AMOCs)

(1) The Manager, East Certification Branch, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send your request to your principal inspector or responsible Flight Standards Office, as appropriate. If sending information directly to the manager of the certification office, send it to the attention of the person identified in paragraph (k) of this AD. Information may be emailed to: *AMOC@faa.gov.*

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

(k) Related Information

For more information about this AD, contact Jeffrey Johnson, Aviation Safety Engineer, FAA, 1701 Columbia Avenue, College Park, GA 30337; phone: 404–474–5554; email: *9-ASO-ATLACO-ADs@faa.gov.*

(l) Material Incorporated by Reference

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

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

(i) Gulfstream GVII–G500 Maintenance Manual, Airworthiness Limitations, Section 05–10–10, Revision 18, dated March 29, 2024.

(ii) Gulfstream GVII–G600 Maintenance Manual, Airworthiness Limitations, Section 05–10–10, Revision 14, dated March 29, 2024.

(3) For Gulfstream material identified in this AD, contact Gulfstream Aerospace Corporation, Technical Publications Dept., P.O. Box 2206, Savannah, GA 31402–2206; telephone 800–810–4853; email *pubs@gulfstream.com;* website *gulfstream.com/en/customer-support.*

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

(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-locationsoremailfr.inspection@nara.gov.*

Issued on June 25, 2025.

Steven W. Thompson,

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

[FR Doc. 2025–12034 Filed 6–27–25; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA–2024–2559; Airspace Docket No. 24–AEA–11]

RIN 2120–AA66

Amendment of Class D and Class E Airspace; Morgantown, WV

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 Morgantown Municipal Airport-Walter L. Bill Hart Field, Morgantown, WV. The FAA is proposing this action as the result of a biennial airspace review. This action will bring the airspace into compliance with FAA orders and support instrument flight rule (IFR) operations.

DATES: Comments must be received on or before August 14, 2025.

ADDRESSES: Send comments identified by FAA Docket No. FAA–2024–2559 and Airspace Docket No. 24–AEA–11 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: Rebecca Shelby, Federal Aviation Administration, Operations Support Group, Central Service Center, 10101 Hillwood Parkway, Fort Worth, TX 76177; telephone (817) 222–5857.

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 surface area airspace, the Class E airspace area designated as an extension to the Class D and Class E surface airspace, and Class E airspace extending upward from 700 feet above the surface at Morgantown Municipal Airport-Walter L. Bill Hart Field, Morgantown, WV, 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 areas are published in paragraphs 5000, 6002, 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. FAA Order JO 7400.11J, which lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points, is publicly available as listed in the **ADDRESSES** section of this document.

The Proposal

The FAA is proposing an amendment to 14 CFR part 71 in the following ways.

First, FAA proposes amending the Class D airspace: (1) to within a 4.4-mile (increased from a 4-mile) radius of the Morgantown Municipal Airport-Walter L. Bill Hart Field, WV; and (2) by replacing the term ''Airport/Facility Directory'' with ''Chart Supplement'' in the airspace legal description.

FAA also proposes amending the Class E surface airspace at Morgantown Municipal Airport-Walter L. Bill Hart Field within a 4.4-mile (increased from a 4-mile) radius of Morgantown Municipal Airport-Walter L. Bill Hart Field, WV; and by replacing the term ''Airport/Facility Directory'' with ''Chart Supplement'' in the airspace legal description.

Next FAA proposes amending the Class E surface airspace: (1) within a 4.4-mile (increased from a 4-mile) radius of Morgantown Municipal Airport-Walter L. Bill Hart Field, WV; and (2) by replacing the term Airport/Facility Directory'' with ''Chart Supplement'' in the airspace legal description.

Additionally, FAA proposes amending the Class E airspace area designated as an extension to the Class D and Class E surface airspace at Morgantown Municipal Airport-Walter L. Bill Hart Field, Morgantown, WV, by: (1) removing the Morgantown VORTAC and all associated extensions from the airspace legal description; (2) adding an extension within 1 mile each side of the 352° bearing from the airport extending from the 4.4-mile radius to 7.9 miles north of the airport; (3) modifying an extensions 1 mile each side of the 352° bearing (previously 332°) from the Morgantown VORTAC from the 4.4-mile radius of the airport to 7.9-mile north of the airport; (4) adding an extension beginning at lat 39°34′55″ N, long 79°51′57″ W; to lat 39°31′17″ N, long 79°51′13″ W; then following the 7.9-mile radius from the airport clockwise to lat 39°33′13″ N, long 80°02′31″ W; to lat 39°36′09″ N, long 79°59′46″ W; then counter clockwise following the 4.4-mile radius to the point of origination; and (5) adding an extension 1 mile each side of the 172° bearing (previously radial) from the airport extending from the 4.4-mile radius of airport to 7.9 miles south of the airport.

Also, FAA proposes amending the Class E airspace extending upward from 700 ft above the surface: (1) to within a 14.8-mile radius (increased from a 6.6-mile) radius of Morgantown Municipal Airport-Walter L. Bill Hart Field; and (2) by removing the Morgantown VORTAC and associated extensions from the airspace legal description as they are no longer needed.

This action is the result of an airspace review conducted as part of the decommissioning of the Morgantown VORTAC and to support IFR operations at this airport.

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.

* * * * *

AEA WV D Morgantown, WV [Amended]

Morgantown Municipal Airport-Walter L. Bill Hart Field, WV
(Lat. 39°38′37″ N, long. 79°55′03″ W)

That airspace extending upward from the surface to and including 3,700 feet MSL within a 4.4-mile radius of Morgantown Municipal Airport-Walter L. Bill Hart Field. This Class D airspace area is effective during the specific dates and times established in advance by a Notice to Airmen. The effective dates and times will thereafter be continuously published in the Chart Supplement.

* * * * *

Paragraph 6002 Class E Airspace Areas Designated as Surface Areas.

* * * * *

AEA WV E2 Morgantown, WV [Amended]

Morgantown Municipal Airport-Walter L. Bill Hart Field, WV
(Lat. 39°38′37″ N, long. 79°55′03″ W)

Within a 4.4-mile radius of Morgantown Municipal Airport-Walter L. Bill Hart Field. This Class E airspace area is effective during the specific dates and times established in advance by a Notice to Airmen. The effective dates and times will thereafter be continuously published in the Chart Supplement.

* * * * *

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

* * * * *

AEA WV E4 Morgantown, WV [Amended]

Morgantown Municipal Airport-Walter L. Bill Hart Field, WV
(Lat. 39°38′37″ N, long. 79°55′03″ W)
Morgantown VOR/DME, WV
(Lat. 39°33′24″ N, long. 79°51′37″ W)

That airspace extending upward from the surface within 1 mile on each side of the 352° bearing from airport; extending from the 4.4-mile radius of the airport to 7.9 miles north of the airport; and within 1 mile each side of the 352° bearing of the Morgantown VOR/DME extending from the 4.4-mile radius of the airport to 7.9-mile north of the airport; and extending from the 4.4-mile radius beginning at point lat 39°34′58″ N, long 79°51′53″ W; to lat 39°31′55″ N, long 79°51′15″ W; then clockwise following the 7.9 mile radius from the airport to lat 39°33′54″ N, long 80°02′16″ W; to lat 39°36′24″ N, long 79°59′58″ W; then following the 4.4-mile radius of the airport counter clockwise to the point of origination; and within 2 miles each side of the 172° bearing from the airport extending from the 4.4-mile radius of airport to 7.9 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 Morgantown, WV [Amended]

Morgantown Municipal Airport-Walter L. Bill Hart Field, WV
(Lat. 39°38′37″ N, long. 79°55′03″ W)

That airspace extending upward from 700 feet above the surface within a 14.8-mile radius of the Morgantown Municipal Airport-Walter L. Bill Hart Field.

* * * * *

Issued in Fort Worth, Texas, on June 26, 2025.

Dallas W. Lantz,

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

[FR Doc. 2025–12055 Filed 6–27–25; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF LABOR

Mine Safety and Health Administration

30 CFR Part 75

[Docket No. MSHA–2025–0080]

RIN 1219–AC11

Improving and Eliminating Regulations; Installation of Foam Generator Systems in Underground Coal Mines

AGENCY: Mine Safety and Health Administration (MSHA), Department of Labor.

ACTION: Proposed rule; request for comments.

SUMMARY: MSHA is proposing to revise 30 CFR part 75 to remove outdated requirements regarding the installation of foam generator systems located in underground coal mines. Removal of this standard would not result in the reduction of safety protections for miners at these mines.

DATES: Comments must be received on or before July 30, 2025.

ADDRESSES: All submissions must include RIN 1219–AC11 or Docket No. MSHA–2025–0080. You should not include personal or proprietary information that you do not wish to disclose publicly. If you mark parts of a comment as ''business confidential'' information, MSHA will not post those parts of the comment. Otherwise, MSHA will post all comments without change, including any personal information provided. MSHA cautions against submitting personal information.

You may submit comments and informational materials, clearly identified by RIN 1219–AC11 or Docket No. MSHA–2025–0080, by any of the following methods:

1. Federal E-Rulemaking Portal: https://www.regulations.gov. Follow the online instructions for submitting comments for MSHA–2025–0080.

2. *Email: zzMSHA-comments@dol.gov.* Include ''RIN 1219–AC11'' in the subject line of the message.

3. Regular Mail or Hand Delivery: MSHA, Office of Standards, Regulations, and Variances, 200 Constitution Avenue NW, Room C3522, Washington, DC 20210. Before visiting MSHA in person, call 202–693–9440 to make an appointment.

No telefacsimiles (''faxes'') will be accepted.

FOR FURTHER INFORMATION CONTACT: Jessica D. Senk, Acting Director, Office of Standards, Regulations, and Variances, MSHA at 202–693–9440 (voice). This is not a toll-free number.

SUPPLEMENTARY INFORMATION:

I. Background

MSHA is proposing to remove existing provisions from 30 CFR part 75. The existing provisions in § 75.1101–5 contain outdated requirements for the installation of foam generator systems. MSHA is proposing to remove and reserve § 75.1101–5. Removing these provisions would not reduce protections afforded to miners because the requirements are outdated and are no longer applicable to underground coal mines.

II. Discussion

MSHA proposes to remove § 75.1101–5 in its entirety. This section outlines requirements for the installation of foam generator systems which are outdated and no longer used by coal operators. In MSHA's experience, fixed automatic foam generator systems in underground coal mines are no longer used because water deluge type fire suppression systems are as effective as foam generator systems and are easier to maintain. Removing this section would streamline part 75 by removing unnecessary provisions and providing clarity in MSHA's requirements for underground coal mines.

MSHA seeks comment on any aspects of this proposed rule including whether MSHA should prohibit the use of foam generator systems in underground coal mines.

III. Procedural Issues and Regulatory Review

A. Review Under Executive Orders 12866 and 13563

Executive Order (E.O.) 12866, ''Regulatory Planning and Review'' 58 FR 51735 (Oct. 4, 1993), 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; (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.

E.O. 13563, ''Improving Regulation and Regulatory Review'' 76 FR 3821 (Jan. 21, 2011), requires agencies to use the best available techniques to quantify anticipated present and future benefits and costs as accurately as possible. E.O. 13563 reaffirms the principles of E.O. 12866 while calling for improvements in the nation's regulatory system to promote predictability, reduce uncertainty, and use the best, most innovative, and least burdensome tools for achieving regulatory ends.

E.O. 12866 and E.O. 13563 direct agencies to assess all costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits. E.O. 13563 emphasizes the importance of quantifying both costs and benefits, reducing costs, harmonizing rules, and promoting flexibility.

Under section 3(f) of E.O. 12866, a ''significant regulatory action'' is a regulatory action that is likely to result in a rule that may:

(1) have an annual effect on the economy of $100 million or more, or adversely affect in a material way he economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or state, local, or tribal governments or communities (also referred to as economically significant);

(2) create a serious inconsistency or otherwise interfere with an action taken or planned by another agency;

(3) materially alter the budgetary impact of entitlements, grants, user fees, or loan programs or the rights and obligations of recipients; or

(4) raise novel legal or policy issues arising out of legal mandates, the President's priorities, or the principles set forth in the E.O.

Under section 6(a) of E.O. 12866, the Office of Management and Budget's (OMB's) Office of Information and Regulatory Affairs (OIRA) determines whether a regulatory action is significant and whether Agencies are required to submit the regulatory action to OIRA for review. Removing the provisions concerning outdated requirements for the installation of foam generator systems would not impose new compliance costs on underground coal mine operators or reduce the protections afforded to miners. This proposed rule is determined to not constitute a ''significant regulatory action'' because it does not meet any of the four ''significant regulatory action'' criteria under section 3(f) of E.O. 12866. Accordingly, this proposed rule was not submitted to OIRA for review under E.O. 12866.

No alternatives were considered for this proposed deregulatory action.

B. Review Under the Regulatory Flexibility Act

The Regulatory Flexibility Act (RFA) of 1980, as amended by the Small Business Regulatory Enforcement Fairness Act (SBREFA) of 1996, requires preparation of an Initial Regulatory Flexibility Analysis (IRFA) 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. The RFA defines small entities to include small businesses, small organizations, including not-for-profit organizations, and small governmental jurisdictions.

MSHA reviewed this proposed rule under the provisions of the RFA which eliminates burdensome regulations. MSHA initially concludes that the impacts of the proposed rule would not have a ''significant economic impact on a substantial number of small entities,'' and that the preparation of an IRFA is not warranted. MSHA 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

The Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*) provides for the Federal Government's collection, use, and dissemination of information. The goals of the Paperwork Reduction Act include minimizing paperwork and reporting burdens and ensuring the maximum possible utility from the information that is collected under 5 CFR part 1320. The Paperwork Reduction Act requires Federal agencies to obtain approval from OMB before requesting or requiring ''a collection of information'' from the public.

This proposed rule imposes no new information collection or recordkeeping requirements. Accordingly, OMB clearance is not required under the Paperwork Reduction Act.

D. Review Under Executive Order 13132

E.O. 13132, ''Federalism'' 64 FR 43255 (August 10, 1999), imposes certain requirements on Federal agencies formulating and implementing policies or regulations that preempt State law or that have federalism

implications. The E.O. 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 E.O. 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.

MSHA has examined this proposed rule and has 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.

E. 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'' 61 FR 4729 (Feb. 7, 1996), 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. 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. MSHA has completed the required review and determined that, to the extent permitted by law, this proposed rule meets the relevant standards of E.O. 12988.

F. Review Under the Unfunded Mandates Reform Act

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.

MSHA examined this proposed rule according to UMRA and its statement of policy and determined that the proposal 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.

G. Review Under the National Environmental Policy Act

The National Environmental Policy Act (NEPA) of 1969 (42 U.S.C. 4321 *et seq.*), requires each Federal agency to consider the environmental effects of regulatory actions and to prepare an environmental impact statement on Agency actions that would significantly affect the quality of the environment; unless the action is considered categorically excluded under 29 CFR 11.10. MSHA has reviewed the proposed rule in accordance with NEPA requirements and the Department of Labor's NEPA procedures (29 CFR part 11). As a result of this review, MSHA has determined that this proposed rule would not impact air, water, or soil quality, plant or animal life, the use of land or other aspects of the human environment. Therefore, MSHA has not conducted an environmental assessment nor provided an environmental impact statement.

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 rule would not have any impact on the autonomy or integrity of the family as an institution. Accordingly, MSHA 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), MSHA has determined that this proposed rule 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). MSHA has reviewed this proposed rule and has concluded that it is consistent with applicable policies in the OMB guidelines.

K. Review Under Executive Order 13175

E.O. 13175, ''Consultation and Coordination With Indian Tribal Governments'' 65 FR 67249 (Nov. 9, 2000), requires agencies to consult with tribal officials when developing policies that may have ''tribal implications.'' This proposed rule does not have ''tribal implications'' because it will not ''have substantial direct effects on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes.'' Accordingly, under E.O. 13175, no further Agency action or analysis is required.

L. 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 agencies to publish a statement of energy effects when a rule has a significant energy action that adversely affects energy supply, distribution, or use. MSHA has reviewed this proposed

rule for its energy effects. For the energy analysis, this proposed rule will not exceed the relevant criteria for adverse impact.

M. Review Under Additional Executive Orders and Presidential Memoranda

MSHA has examined this proposed rule and has determined that it is consistent with the policies and directives outlined in E.O. 14154, ''Unleashing American Energy'' 90 FR 8353 (Jan. 29, 2025); E.O. 14192, ''Unleashing Prosperity Through Deregulation'' 90 FR 9065 (Feb. 6, 2025); and the Presidential Memorandum, ''Delivering Emergency Price Relief for American Families and Defeating the Cost-of-Living Crisis'' 90 FR 8245 (Jan. 28, 2025). This proposed rule is expected to be an E.O. 14192 deregulatory action.

List of Subjects in 30 CFR Part 75

Communications equipment, Electric power, Emergency medical services, Explosives, Fire prevention, Mine safety and health, Reporting and recordkeeping requirements.

For the reasons set forth in the preamble, and under the authority of the Federal Mine Safety and Health Act of 1977, as amended by the Mine Improvement and New Emergency Response Act of 2006, MSHA proposes to amend chapter I of title 30 of the Code of Federal Regulations as follows:

SUBCHAPTER O—COAL MINE SAFETY AND HEALTH

PART 75—MANDATORY SAFETY STANDARDS—UNDERGROUND COAL MINES

■ 1. The authority citation for part 75 continues to read as follows:

Authority: 30 U.S.C. 811, 813(h), 957.

Subpart L—Fire Protection

§ 75.1101–5 [Removed and Reserved]

■ 2. Remove and reserve § 75.1101–5.

James P. McHugh,

Deputy Assistant Secretary for Policy, Mine Safety and Health Administration.

[FR Doc. 2025–11739 Filed 6–27–25; 8:45 am]

BILLING CODE 4520–43–P

Notices

Federal Register
Vol. 90, No. 123
Monday, June 30, 2025

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

DEPARTMENT OF AGRICULTURE

Natural Resources Conservation Service

[Docket No. NRCS–2025–0004]

Proposed Revisions to the National Handbook of Conservation Practices for the Natural Resources Conservation Service

AGENCY: Natural Resources Conservation Service, U.S. Department of Agriculture.

ACTION: Notice of availability, request for comments.

SUMMARY: The Natural Resources Conservation Service (NRCS) is revising specific conservation practice standards (CPS) in the National Handbook of Conservation Practices (NHCP). NRCS is also giving the public an opportunity to provide comments on the proposed changes to the specific CPS.

DATES: We will consider comments that we receive by July 30, 2025.

ADDRESSES: We invite you to submit comments in response to this notice. You may submit your comments through one of the following methods below:

- *Federal eRulemaking Portal:* Go to *http://www.regulations.gov* and search for Docket ID NRCS–2025–0004. Follow the online instructions for submitting comments; or
- *Mail or Hand Delivery:* Mr. J'Que C. Jones, National Agricultural Engineer, Conservation Engineering Division, NRCS, USDA, 1400 Independence Avenue, South Building, Room 4949, Washington, DC 20250. In your comment, please specify the Docket ID NRCS–2025–0004.

All comments received will be made publicly available on *http://www.regulations.gov.*

The copies of the proposed revised standards are available through *http://www.regulations.gov* by accessing Docket No. NRCS–2025–0004. Alternatively, the proposed revised standards can be downloaded or printed from the *https://www.nrcs.usda.gov/getting-assistance/conservation-practices.*

FOR FURTHER INFORMATION CONTACT: Mr. J'Que C. Jones at (443) 926–6957, or by email at *jque.jones@usda.gov.* Individuals who require alternative means for communication should contact the USDA TARGET Center at (202) 720–2600 (voice and text telephone (TTY)) or dial 711 for Telecommunications Relay Service (both voice and text telephone users can initiate this call from any telephone).

SUPPLEMENTARY INFORMATION:

Background

NRCS plans to revise the CPS in the NHCP. This notice provides an overview of the planned changes and gives the public an opportunity to offer comments on the specific CPS and NRCS's proposed changes.

NRCS State Conservationists who choose to adopt these practices in their States will incorporate these practices into the respective electronic Field Office Technical Guide. These practices may be used in conservation systems that treat highly erodible land (HEL) or on land determined to be wetland. Section 343 of the Federal Agriculture Improvement and Reform Act of 1996 (Pub. L. 104–127) requires NRCS to make available for public review and comment all proposed revisions to CPS used to conduct HEL and wetland provisions of the law.

Revisions to the National Handbook of Conservation Practices

The amount of the proposed changes varies for each of the CPS addressed in this notice. To fully understand the proposed changes, individuals are encouraged to compare these changes with the current version for each standard, which can be found at: *https://www.nrcs.usda.gov/resources/guides-and-instructions/conservation-practice-standards.*

NRCS is requesting comments on the following CPS:

- Access Control (Code 472);
- Controlled Traffic Farming (Code 334);
- Irrigation Canal or Lateral (Code 320);
- Irrigation Ditch Lining (Code 428);
- Irrigation Field Ditch (Code 388);
- Open Channel (Code 582);
- Pest Management Conservation System (Code 595);
- Pumping Plant (Code 533);
- Waste Treatment Lagoon (Code 359);
- Waste Recycling (Code 633);
- Wildlife Habitat (Code 645).

The following paragraphs highlight some of the proposed changes to each standard:

Access Control (Code 472): Revised to add clarity, to align the purposes with resource concerns, and to clarify that the practice is used to protect sensitive areas and practice is not used to manage livestock. The general criteria information was incorporated into to the plans and specifications section.

Controlled Traffic Farming (Code 334): Only minor changes were made in this revision to simplify language in the ''Definition, Practice Purpose, and the Conditions Where Practice Applies sections''. The term ''tram lines'' changed to traffic lanes. The ''General Criteria'' section received minor changes such as: removal of the axle weight and tire PSI as these are difficult for conservation planners to determine. Wording was also included to state this practice should be focused on the interior of the field production footprint with lesser emphasis on incidental turning at the ends of the field. Only minor wording changes were made to the ''Considerations, Plans and Specifications, Operation and Maintenance'' section. No Reference changes.

Irrigation Canal or Lateral (Code 320): Minor rewording edits were made throughout the standard to provide clarity and improve readability. A new subsection was added to address considerations for cultural resources. Revised the ''Plans and Specifications'' and ''Consideration'' sections to account for safety features and relationship between freeboard and overtopping.

Irrigation Ditch Lining (Code 428): The ''Definition,'' and ''Purpose'' sections of the standard were edited for clarity. A section on ''Additional Criteria to Reduce Energy Use'' was added. Revised the minimum required thickness for reinforced polyethylene and reinforced flexible polypropylene lining materials under the heading ''Geosynthetic and semi-rigid formed plastic'' in the ''Materials'' subsection of

''General Criteria Applicable to All Purposes'' section. The ''References'' section was also updated. Minor rewording edits throughout the standard to improve readability.

Irrigation Fieldy Ditch (Code 388): Improved readability and added statements ensuring compliance with laws and regulations to the ''General Criteria Application to All Purposes'' subsection. Removed reference to Conservation Practice Standard (CPS) Open Channel (Code 582) within the ''Capacity requirements'' subsection since it does contain requirements pertaining to these criteria. Added new ''Vegetation'' subsections within ''General Criteria'' section. Updated ''Spoil'' subsection to reflect the name change of CPS Code 572 to ''Spoil Disposal.'' A new subsection was added to address considerations for cultural resources. In the ''Cross section'' subsection, clarified the freeboard requirement. A new consideration for overtopping was added to the ''Consideration'' section.

Open Channel (Code 582): Revised the ''Purpose'' section to clarify that the CPS will provide outlets to drainage systems and to protect or enhance wildlife habitat. Moved the statement of ''In urban areas, consider the design impacts on high-value developments'' from the ''Criteria'' section to the ''Consideration'' section. Removed the ''Cultural Resources'' section because the policies and regulations should not be repeated in CPS's. Minor revisions were made for clarity and readability purposes.

Pest Management Conservation System (Code 595): Reworded throughout to clarify statements that have caused confusion. Reworded purposes for air resource concerns. Clarified ''Purpose'' section to reduce emissions of volatile organic compounds is only applicable in ozone nonattainment areas. Included additional land uses: pasture, range, and forest. Updated ''Reference'' section to the updated Technical Note 5. Added reference to Prescribed Burning (CPS 338) when using it as a pest management technique in ''General Criteria Applicable to All Purposes'' section. Added the table of hazard rating categories and mitigation points needed in the ''Additional Criteria to Reduce Pesticides Transported to Surface and Ground Waters'' section. Separated the ''Additional Criteria'' into different sections. Refined the ''Considerations'' section and updated the ''References'' section.

Pumping Plant (Code 533): The revised standard expands the practice purpose to include fire suppression. Methods for gathering wind speed data were added to the ''Windmills'' subsection. Also, pump enclosure criteria were added to the ''Buildings and accessories'' subsection. Renamed ''Photovoltaic panels'' subsection to ''Photovoltaic arrays'' and established degradation rate criteria therein. Additionally, updates were made to the ''Considerations'' section to include opportunities for greenhouse gas emissions reduction and the use of water well yield capacity data. Further, minor rewording edits were made throughout the standard to improve readability.

Waste Treatment Lagoon (Code 359): The practice standard was updated to include requirements for foundation and embankments to improve consistency with conservation practice standard, waste Storage Facility (Code 313). A requirement was added to require a lagoon cover for lagoons used on operations with greater than 1000 animal units. Changes to the ''Purposes'' section were made to adequately align with resource concerns. Minor changes were made for clarity and to better describe the practice definition, purpose, criteria, and considerations. The ''References'' section was also updated.

Waste Recycling (Code 633): The document revisions are minor and include adding a new purpose, revising wording to clarify meaning, modifications to align with the current format requirements, NRCS general writing guidelines, and the Plain Language Act.

Wildlife Habitat (Code 645): This new standard combines Conservation Practice Standard 644 Wetland Wildlife Habitat Management and 645 Upland Wildlife Habitat Management. The title has been revised to ''Wildlife Habitat Management'' which articulates the use of this practice is appropriate on all land uses where habitat exists and can be managed. The updated version of the standard removes all habitat development actions and focuses on management actions, better aligning with the one-year lifespan.

USDA Non-Discrimination Policy

In accordance with Federal civil rights law and USDA civil rights regulations and policies, USDA, its agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, disability, age, marital status, family or parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

Individuals who require alternative means of communication for program information (*e.g.,* braille, large print, audiotape, American Sign Language, etc.) should contact the responsible agency or USDA TARGET Center at (202) 720–2600 (voice and text telephone (TTY)) or dial 711 for Telecommunications Relay Service (both voice and telephone users can initiate this call from any phone). Additionally, program information may be made available in languages other than English.

To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD–3027, found online at *https://www.usda.gov/oascr/how-to-file-a-program-discrimination-complaint* and at any USDA office or write a letter addressed to USDA and provide in the letter all the information requested in the form. To request a copy of the complaint form, call (866) 632–9992. Submit your completed form or letter to USDA by: (1) mail to: U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue SW, Washington, DC 20250–9410; (2) fax: (202) 690–7442; or email: *OAC@usda.gov.*

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Louis Aspey,

Associate Chief, Natural Resources Conservation Service.

[FR Doc. 2025–12056 Filed 6–27–25; 8:45 am]

BILLING CODE 3410–16–P

DEPARTMENT OF AGRICULTURE

Rural Utilities Service

[Docket #RUS–25–ELECTRIC–0001]

Notice of Availability of a Record of Decision Regarding Central Electric Power Cooperative, Inc. Financial Assistance

AGENCY: Rural Utilities Service, USDA.

ACTION: Notice of availability of a Record of Decision.

SUMMARY: Notice is hereby given that the Rural Utilities Service (RUS), an agency within the Department of Agriculture (USDA), has issued a Record of Decision (ROD) to meet its responsibilities in accordance with the National Environmental Policy Act of 1969 (NEPA), Council on Environmental

Quality (CEQ) regulations for implementing the procedural provisions of NEPA, RUS Environmental Policies and Procedures, and other applicable environmental requirements related to providing financial assistance for Central Electric Power Cooperative, Inc. (Central Electric or the Applicant) proposed McClellanville 115 kilovolt (kV) transmission line (Project) in South Carolina. The Administrator of RUS has signed the ROD, which was effective upon signing. This ROD concludes RUS environmental review process in accordance with NEPA and RUS, Environmental Policies and Procedures. The ultimate decision as to loan approval depends on the conclusion of the environmental review process plus financial and engineering analyses. Issuance of the ROD allows these reviews to proceed. The ROD is not a decision on the Central Electric's loan application and is not an approval of the expenditure of federal funds.

DATES: The Administrator of the Rural Utilities Service signed the Record of Decision on June 13, 2025.

ADDRESSES: The ROD is available on the RUS website at: *https://www.rd.usda.gov/resources/environmental-studies/impact-statement/mcclellanville-115kv-transmission-line-berkeley-charleston-and-georgetown-counties-sc.*

FOR FURTHER INFORMATION CONTACT: For further information, or to request copies of the ROD, contact Suzanne Kopich, Environmental Protection Specialist, USDA, Rural Utilities Service, 1400 Independence Ave., SW, Mail Stop 1570, Washington, DC 20250, by phone at 202–961–8514, or email to: *mcclellanvilleEIS@usda.gov*

SUPPLEMENTARY INFORMATION: The project proponent and USDA applicant, Central Electric, is a not-for-profit electric generation and transmission cooperative that is the wholesale power supplier to its member-owners, South Carolina's 20 retail electric cooperatives that includes Berkeley Electric. Organized in 1948, Central Electric designs and builds transmission lines that connect the state's bulk transmission system (the coordinated and integrated Central Electric/South Carolina Public Service Authority [Santee Cooper] system) and the member-cooperative system substations. Central Electric, a South Carolina (SC) transmission cooperative, proposes to construct and maintain a new 115-kilovolt (kV) transmission line between the existing Jamestown substation and a new Berkeley Electric Cooperative, Inc. (Berkeley Electric) McClellanville Substation near the town of McClellanville, SC. The preferred transmission line route is referred to as the Jamestown corridor. The new transmission line would improve system reliability in the McClellanville Service Area, including reducing the number and duration of power outages that occur. The current level of system capacity cannot readily accommodate existing load demand nor future load growth in the McClellanville area. Studies of system reliability (studies included in the Environmental Impact Statement (EIS)) indicate that a new 115-kV transmission line and associated substation is needed to serve the long-term needs of this area of coastal South Carolina by increasing capacity to distribute electricity and enhance the reliability of the delivery system.

RUS is authorized under the Rural Electrification Act of 1936, as amended (7 U.S.C. 901–918a.) to make loans and loan guarantees to finance the construction of electric distribution, transmission, and generation facilities, including system improvements and replacements required to furnish and improve electric service in rural areas, as well as demand-side management, electricity conservation programs, and on- and off-grid renewable electricity systems. Central Electric intends to request financial assistance from RUS for the Project. Along with other technical and financial considerations, completing the environmental review process is one of RUS's requirements in processing Central Electric's application.

RUS is the lead Federal agency, as defined at 40 CFR 1501.7 (2020), for the preparation of the final Environmental Impact Statement (FEIS). Cooperating agencies for this Project include the United States Army Corps of Engineers (USACE) and the United States Forest Service (USFS). The USACE will review the Applicant's permit application, as required by Section 404 under the Clean Water Act. The USFS has been involved in interagency coordination as a cooperating agency for the Project because 13.5 miles (58%) of the proposed transmission line would cross National Forest Service (NFS) lands managed by the Francis Marion National Forest. The USFS would need to issue a special use authorization for the Project to occupy NFS lands and will use the final EIS analysis in its decision- making process to either approve or disapprove the Applicant's request for a Special Use Permit (SUP).

RUS prepared a FEIS and published a notice of availability in the **Federal Register** on October 18, 2024, 89 FR 83833, to analyze the impacts of its respective Federal actions and the proposed Project in accordance with RUS Environmental Policies and Procedures (7 CFR part 1970).

RUS determined that its action regarding the proposed Project is an undertaking subject to review under Section 106 of the National Historic Preservation Act and its implementing regulation, ''Protection of Historic Properties'' (36 CFR part 800) and as part of its broad environmental review process, RUS must take into account the effect of the Project on historic properties. The National Historic Preservation Act (NHPA), Section 106 review is integrated with the NEPA review of cultural and historic resources in the FEIS in accordance with the guiding regulations of each law (40 CFR 1500–1508; 36 CFR part 800). Indian Tribes, including the Eastern Shawnee Tribe of Oklahoma, the Catawba Indian Nation, and Muscogee (Creek) Nation, and the town of McClellanville were invited to participate in the NHPA, Section 106 review process, attend the public scoping and Draft EIS meetings, and provide relevant information for inclusion in the EIS. Only the Catawba Indian Nation chose to become a consulting party, and in the end, they did not comment on the EIS.

There are two known cultural resources along the proposed transmission line: the NRHP-listed Old Georgetown Road and the NRHP-eligible Honey Hill Fire Tower; and several unevaluated archaeological sites. The Project will have a direct, visual impact on the Old Georgetown Road and Honey Hill Fire Tower. Mitigation for this impact will be determined through the Section 106 consultation process under the Programmatic Agreement (PA) for the McClellanville 115 kV Transmission Line Project. Once the project right of way has been finalized, additional cultural resource surveys and studies will be conducted to identify any additional historic sites and potential impacts. In coordinating Section 106 compliance, RUS has developed a project-specific PA among RUS, USFS, and the South Carolina State Historic Preservation Office. Any historic sites will be spanned and protected during construction when feasible, as identified in the PA. The PA will have provisions for the treatment of any post-review structure discoveries.

On May 29, 2014, RUS announced the issuance of a Draft EIS for the Project (79 FR 30805). A public meeting was held on June 3, 2014, at the St. James-Santee Elementary-Middle School in McClellanville to solicit comments on the Draft EIS. Based on public comments and because of updates to RUS environmental policies and

procedures, as well as the publication of a revised FMNF Land Management Plan, RUS and Central Electric determined that a Supplemental Draft EIS (SDEIS) would be necessary to evaluate other reasonable corridors, including two options that would originate from the Belle Island Substation, as evaluated in the Draft EIS, and new options originating from the Jamestown Substation and Charity Substation. In 2017, because of comments received from agencies and the general public, Central Electric commissioned, at the request of RUS, an independent engineering study to evaluate and supplement the previously developed studies and assess the merit of the proposed alternatives based on need, impacts, and cost; and to offer additional insight and information that may be relevant to assessing each potential solution.

On August 30, 2019, RUS announced the availability of the SDEIS for the Project (84 FR 45720), which included new analysis of the Jamestown and Charity corridors and two of the original Belle Isle corridors (Options B and C). On September 17 and 19, 2019, RUS conducted public meetings at St. James-Santee Elementary-Middle School in McClellanville and at Jamestown Baptist Church Life Center, respectively.

Following the October 18, 2024 issuance of the FEIS, a total of three public comments were received and were all minor in content.All public comments associated with the FEIS have been taken into consideration and addressed in the ROD. Based on consideration of the environmental impacts of the Project and comments received throughout the Agency and public review process, RUS has determined that the Proposed Action as described above best meets the purpose and need for the Project. RUS finds that the evaluation of reasonable alternatives is consistent with NEPA and RUS Environmental Policies and Procedures. Details regarding RUS regulatory decision and compliance with applicable regulations are included in the ROD.

Christopher McLean,

Assistant Administrator, Rural Utilities Service, USDA Rural Development.

[FR Doc. 2025–12026 Filed 6–27–25; 8:45 am]

BILLING CODE 3410–15–P

COMMISSION ON CIVIL RIGHTS

Notice of Public Meeting of the Oklahoma Advisory Committee

AGENCY: U.S. Commission on Civil Rights.

ACTION: Announcement of Virtual Business Meeting.

SUMMARY: Notice is hereby given, pursuant to the provisions of the rules and regulations of the U.S. Commission on Civil Rights (Commission) and the Federal Advisory Committee Act (FACA) that the Oklahoma Advisory Committee (Committee) to the U.S. Commission on Civil Rights will hold virtual business meetings via ZoomGov on Wednesday, September 3, 2025 from 2:00 p.m.–3:00 p.m. CT. For the purpose of reviewing and discussing their project proposal.

DATES: The meeting will take place on Wednesday, September 3, 2025 from 2:00 p.m.–3:00 p.m. CT.

Wednesday, September 3, 2025

- *Registration Link (Audio/Visual): https://www.zoomgov.com/webinar/register/WN_JRWmagROT_69sElRbCGzDg.*
- *Join by Phone (Audio Only):* 1–833–435–1820 USA Toll Free; Webinar ID: # 160 345 5942.

FOR FURTHER INFORMATION CONTACT: Brooke Peery, Designated Federal Officer (DFO) at *bpeery@usccr.gov* or by phone at (202) 701–1376.

SUPPLEMENTARY INFORMATION: Committee meetings are available to the public through the videoconference link above. Any interested member of the public may listen to the meeting. An open comment period will be provided to allow members of the public to make a statement as time allows. Per the Federal Advisory Committee Act, public minutes of the meeting will include a list of persons who are present at the meeting. If joining via phone, callers can expect to incur regular charges for calls they initiate over wireless lines, according to their wireless plan. The Commission will not refund any incurred charges. Closed captioning will be available for individuals who are deaf, hard of hearing, or who have certain cognitive or learning impairments. To request additional accommodations, please email Corrine Sanders, Support Services Specialist, *csanders@usccr.gov* at least 10 business days prior to the meeting.

Members of the public are entitled to make comments during the open period at the end of the meeting. Members of the public may also submit written comments; the comments must be received in the Regional Programs Unit within 30 days following the meeting. Written comments can be sent via email to Brooke Peery (DFO) at *bpeery@usccr.gov*.

Records generated from this meeting may be inspected and reproduced at the Regional Programs Coordination Unit Office, as they become available, both before and after the meeting. Records of the meetings will be available via *www.facadatabase.gov* under the Commission on Civil Rights, Texas Advisory Committee link. Persons interested in the work of this Committee are directed to the Commission's website, *http://www.usccr.gov,* or may contact the Regional Programs Coordination Unit at *csanders@usccr.gov*.

Agenda

I. Welcome & Roll Call
II. Approval of Minutes
III. Committee Discussion
IV. Public Comment
V. Adjournment

Dated: June 26, 2025.

David Mussatt,

Supervisory Chief, Regional Programs Unit.

[FR Doc. 2025–12061 Filed 6–27–25; 8:45 am]

BILLING CODE 6335–01–P

DEPARTMENT OF COMMERCE

Economic Development Administration

Agency Information Collection Activities; Submission for OMB Review; Comment Request; Recompete Pilot Program Implementation Data Collection Instrument

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 November 14, 2024, during a 60-day comment period. This notice allows for an additional 30 days for public comments.

Agency: Economic Development Administration, Commerce.

Title: Recompete Pilot Program Implementation Data Collection Instrument.

OMB Control Number: New information collection.

Form Number(s): None.

Type of Request: Regular.

Number of Respondents: 6.

Average Hours per Response: 7.

Burden Hours: 84. This notice includes the correct estimated total annual burden hours.

Needs and Uses: The purpose of this notice is to seek comments from the public and other Federal agencies on a request for a new information collection for six Phase 2 Awardees to help ensure that Recompete investments are evidence-based, data-driven, and accountable to participants and the public.

Coalition leads for the six Recompete Awardees will submit identified program metrics and qualitative information to help assess specific program objectives. A recurring questionnaire will be sent to each of the Recompete coalition leads every six months for a total of five years to gather the relevant data and stories for their awards, resulting in community impact evaluation, resources, and tools for place-based economic development decisionmakers. The six Recompete Awardees will provide information on the following areas related to Recompete objectives:

(1) Employment among prime-age individuals who interact with Recompete programming, which may include information on success stories, employment, and wage outcomes for participants in EDA-funded activities.

(2) Economic distress in Recompete service areas, which may include information on success stories, changes in local employment rates, changes in local income and wage rates, and other place-based metrics.

(3) Effectiveness of workforce development programming, which may include information on enrollment, completion, placement, retention, and attrition for individuals participating in EDA-funded activities, in addition to the examples of outcomes metrics in objective #1.

(4) Effectiveness of entrepreneurship and small business supports, which may include information on enrollment, completion, business launch, and business success for entrepreneurs and small/mid-size enterprises participating in EDA-funded activities, as well as their impact on local employment.

(5) Local economic development capacity, which may include assessing relationships with federal, state, and local entities, current partnerships, and information about sources of capital and commitments to continue to ensure economic well-being in the Recompete community.

Recompete Awardees must submit data on a semi-annual basis (*i.e.,* every six months) for five years to provide an update on the status of the coalition's efforts and to help assess the results of receiving Phase 2 Recompete funding.

Affected Public: Phase 2 Recompete Awardees.

Frequency: Semi-Annually.

Respondent Obligation: Mandatory for Recompete Awardees.

Legal Authority: Stevenson Wydler Technology Innovation Act of 1980, Section 29 (15 U.S.C. 3722b).

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 the title of the collection.

Sheleen Dumas,

Departmental PRA Compliance Officer, Office of the Under Secretary of Economic Affairs, Commerce Department.

[FR Doc. 2025–12013 Filed 6–27–25; 8:45 am]

BILLING CODE 3510–34–P

DEPARTMENT OF COMMERCE

International Trade Administration

Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Advance Notification of Sunset Review

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

Background

Every five years, pursuant to the Tariff Act of 1930, as amended (the Act), the Department of Commerce (Commerce) and the International Trade Commission automatically initiate and conduct reviews to determine whether revocation of a countervailing or antidumping duty order or termination of an investigation suspended under section 704 or 734 of the Act would be likely to lead to continuation or recurrence of dumping or a countervailable subsidy (as the case may be) and of material injury.

Upcoming Sunset Reviews for August 2025

Pursuant to section 751(c) of the Act, the following Sunset Reviews are scheduled for initiation in August 2025 and will appear in that month's *Notice of Initiation of Five-Year Sunset Reviews* (Sunset Review).

	Department contact
Antidumping Duty Proceedings	
Crystalline Silicon Photovoltaic Products from China, A–570–010 (2nd Review)	Thomas Martin, (202) 482–3938.
Polyethylene Terephthalate (Pet) Film from China, A–570–924 (3rd Review)	Thomas Martin, (202) 482–3938.
Polyethylene Terephthalate (Pet) Film from India, A–533–824 (4th Review)	Thomas Martin, (202) 482–3938.
Polyethylene Terephthalate (PET) Sheet from Republic of Korea, A–580–903 (1st Review)	Thomas Martin, (202) 482–3938.
Crystalline Silicon Photovoltaic Products from Taiwan, A–583–853 (2nd Review)	Thomas Martin, (202) 482–3938.
Polyethylene Terephthalate (Pet) Film from Taiwan, A–583–837 (4th Review)	Thomas Martin, (202) 482–3938.
Polyethylene Terephthalate (Pet) Film from United Arab Emirates, A–520–803 (3rd Review)	Thomas Martin, (202) 482–3938.
Countervailing Duty Proceedings Department Contact	
Crystalline Silicon Photovoltaic Products from China, C–570–011 (2nd Review)	Thomas Martin, (202) 482–3938.
Polyethylene Terephthalate (Pet) Film from India, C–533–825 (4th Review)	Mary Kolberg, (202) 482–1785.

Suspended Investigations

No Sunset Review of suspended investigations is scheduled for initiation in August 2025.

Commerce's procedures for the conduct of Sunset Review are set forth in 19 CFR 351.218. The *Notice of Initiation of Five-Year (Sunset) Review* provides further information regarding what is required of all parties to participate in Sunset Review.

Pursuant to 19 CFR 351.103(c), Commerce will maintain and make available a service list for these proceedings. To facilitate the timely preparation of the service list(s), it is requested that those seeking recognition as interested parties to a proceeding contact Commerce in writing within 10 days of the publication of the Notice of Initiation.

Please note that if Commerce receives a Notice of Intent to Participate from a member of the domestic industry within 15 days of the date of initiation, the review will continue.

Thereafter, any interested party wishing to participate in the Sunset Review must provide substantive comments in response to the notice of initiation no later than 30 days after the date of initiation. Note that Commerce has amended certain of its requirements pertaining to the service of documents in 19 CFR 351.303(f).[1] An electronically filed document must be received successfully in its entirety by ACCESS by 5:00 p.m. Eastern Time on the day on which it is due.

In prior proceedings we have encouraged interested parties to provide an executive summary of their comments, including footnotes. In these sunset reviews, we request that interested parties provide at the beginning of their comments, an executive summary for each issue raised in their comments. Further, we request that interested parties limit their public executive summary of each issue to no more than 450 words, not including citations. We intend to use the public executive summaries as the basis of the comment summaries included in the decision memorandum that will accompany the notice to be published in the **Federal Register**. Finally, we request that interested parties include footnotes for relevant citations in the public executive summary of each issue.

This notice is not required by statute but is published as a service to the international trading community.

Dated: June 18, 2025.

Abdelali Elouaradia,

Deputy Assistant Secretary for Enforcement and Compliance.

[FR Doc. 2025–12050 Filed 6–27–25; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[C–602–814, C–553–002, C–403–807, C–549–856]

Silicon Metal From Australia, the Lao People's Democratic Republic, Norway, and Thailand: Postponement of Preliminary Determinations in the Countervailing Duty Investigations

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

DATES: Applicable June 30, 2025.

FOR FURTHER INFORMATION CONTACT: Kyle Clahane at (202) 482–5449 (Australia), Shane Subler at (202) 482–6241 (the Lao People's Democratic Republic (Laos)), Mary Kolberg at (202) 482–1785 (Norway), and George McMahon at (202) 482–1167 (Thailand), AD/CVD Operations, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230.

SUPPLEMENTARY INFORMATION:

Background

On May 14, 2025, the U.S. Department of Commerce (Commerce) initiated countervailing duty (CVD) investigations on imports of silicon metal from Australia, Laos, Norway, and Thailand.[1] Currently, the preliminary determinations in these CVD investigations are due no later than July 18, 2025.

Postponement of Preliminary Determinations

Section 703(b)(1) of the Tariff Act of 1930, as amended (the Act), requires Commerce to issue the preliminary determination in a CVD investigation within 65 days after the date on which Commerce initiated the investigation. However, section 703(c)(1) of the Act permits Commerce to postpone the preliminary determination in a CVD investigation until not later than 130 days after the date on which Commerce initiated the investigation if: (A) the petitioner makes a timely request for a postponement; or (B) Commerce concludes that the parties concerned are cooperating, that the investigation is extraordinarily complicated, and that additional time is necessary to make a preliminary determination. Under 19 CFR 351.205(e), the petitioner must submit a request for postponement 25 days or more before the scheduled date of the preliminary determination and must state the reasons for the request. Commerce will grant the request unless it finds compelling reasons to deny the request.

On June 18 and 23, 2025, the petitioners[2] submitted timely requests that Commerce postpone the preliminary determinations in the CVD investigations of silicon metal from Australia, Laos, Norway, and Thailand to 130 days from the date of initiation, in accordance with 19 CFR 351.205(b)(2).[3] The petitioners stated that postponement of the preliminary determinations is necessary because the current schedule does not provide Commerce with sufficient time to examine the subsidies that producers and exporters of silicon metal from Australia, Laos, Norway, and Thailand receive.[4]

In accordance with 19 CFR 351.205(e), the petitioners submitted their request for postponement of the preliminary determinations in these investigations 25 days or more before the scheduled date of the preliminary determinations and stated the reasons for their request. Commerce finds no compelling reason to deny the petitioners' request for postponement. Therefore, in accordance with section 703(c)(1)(A) of the Act, Commerce is postponing the deadline for the preliminary determinations in the CVD investigations of silicon metal from Australia, Laos, Norway, and Thailand until not later than 130 days after the date on which it initiated these investigations, *i.e.,* September 22, 2025.[5] Pursuant to section 705(a)(1) of the Act and 19 CFR 351.210(b)(1), the deadline for the final determinations of these investigations will continue to be 75

[1] *See Administrative Protective Order, Service, and Other Procedures in Antidumping and Countervailing Duty Proceedings; Final Rule,* 88 FR 67069 (September 29, 2023)

[1] *See Silicon Metal from Australia, the Lao People's Democratic Republic, Norway, and Thailand: Initiation of Countervailing Duty Investigations,* 90 FR 21746 (May 21, 2025) (*Initiation Notice*).

[2] The petitioners are Ferroglobe USA, Inc. and Mississippi Silicon LLC.

[3] *See* Petitioners' Letters, ''Petitioners' Request to Postpone the Deadline for the Preliminary Determinations,'' dated June 18, 2025, and June 23, 2025.

[4] *Id.*

[5] Because the deadline for these preliminary determinations falls on the weekend (*i.e.,* September 21, 2025), the deadline becomes the next business day (*i.e.,* September 22, 2025). *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).

days after the date of the preliminary determinations.

Notification to Interested Parties

This notice is issued and published pursuant to section 703(c)(2) of the Act and 19 CFR 351.205(f)(1).

Dated: June 26, 2025.

Abdelali Elouaradia,

Deputy Assistant Secretary for Enforcement and Compliance.

[FR Doc. 2025–12144 Filed 6–27–25; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[C–721–002, C–729–806, C–552–854]

Steel Concrete Reinforcing Bar From Algeria, Egypt, and the Socialist Republic of Vietnam: Initiation of Countervailing Duty Investigations

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

DATES: Applicable June 24, 2025.

FOR FURTHER INFORMATION CONTACT: Shane Subler or Henry Wolfe at (202) 482–6241 or (202) 482–0574, respectively, (Algeria), Lingjun Wang at (202) 482–2316 (Egypt), and Christopher Williams at (202) 482–5166 (the Socialist Republic of Vietnam (Vietnam)), AD/CVD Operations, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230.

SUPPLEMENTARY INFORMATION:

The Petitions

On June 4, 2025, the U.S. Department of Commerce (Commerce) received countervailing duty (CVD) petitions concerning imports of steel concrete reinforcing bar (rebar) from Algeria, Egypt, and Vietnam filed in proper form on behalf of the Rebar Trade Action Coalition (the petitioner) and its individual members, domestic producers of rebar.[1] The CVD Petitions were accompanied by antidumping duty (AD) petitions concerning imports of rebar from Algeria, Bulgaria, Egypt, and Vietnam.[2]

Between June 10 and 20, 2025, Commerce requested supplemental information pertaining to certain aspects of the Petitions in supplemental questionnaires.[3] Between June 13 and 23, 2025, the petitioner filed timely responses to these requests for additional information.[4]

In accordance with section 702(b)(1) of the Tariff Act of 1930, as amended (the Act), the petitioner alleges that the Government of Algeria (GOA), Government of Egypt (GOE), and Government of Vietnam (GOV) (collectively, Governments) are providing countervailable subsidies, within the meaning of sections 701 and 771(5) of the Act, to producers of rebar in Algeria, Egypt, and Vietnam, and that such imports are materially injuring, or threatening material injury to, the domestic industry producing rebar in the United States. Consistent with section 702(b)(1) of the Act and 19 CFR 351.202(b), for those alleged programs on which we are initiating CVD investigations, the Petitions were accompanied by information reasonably available to the petitioner supporting its allegations.

Commerce finds that the petitioner filed the Petitions on behalf of the domestic industry, because the petitioner and its individual members are interested parties, as defined in sections 771(9)(C) and (F) of the Act. Commerce also finds that the petitioner demonstrated sufficient industry support with respect to the initiation of the requested CVD investigations.[5]

Periods of Investigation

Because the Petitions were filed on June 4, 2025, the period of investigation for the Algeria, Egypt, and Vietnam CVD investigations is January 1, 2024, through December 31, 2024.[6]

Scope of the Investigations

The product covered by these investigations is rebar from Algeria, Egypt, and Vietnam. For a full description of the scope of these investigations, *see* the appendix to this notice.

Comments on the Scope of the Investigations

On June 20, 2025, Commerce requested information and clarification from the petitioner regarding the proposed scope to ensure that the scope language in the Petitions is an accurate reflection of the products for which the domestic industry is seeking relief.[7] On June 23, 2025, the petitioner provided clarifications.[8] The description of merchandise covered by these investigations, as described in the appendix to this notice, reflects these clarifications.

As discussed in the *Preamble* to Commerce's regulations, we are setting aside a period for interested parties to raise issues regarding product coverage (*i.e.,* scope).[9] Commerce will consider all comments received from interested parties and, if necessary, will consult with interested parties prior to the issuance of the preliminary determinations. If scope comments include factual information, all such factual information should be limited to public information.[10] Commerce requests that interested parties provide at the beginning of their scope comments a public executive summary for each comment or issue raised in their submission. Commerce further requests that interested parties limit their public executive summary of each comment or issue to no more than 450 words, not including citations. Commerce intends to use the public executive summaries as the basis of the comment summaries included in the analysis of scope comments. To facilitate preparation of its questionnaires, Commerce requests that scope comments be submitted by 5:00 p.m. Eastern Time (ET) on July 14, 2025, which is 20 calendar days from the signature date of this notice. Any rebuttal comments, which may include factual information, and should also be limited to public information, must be

[1] *See* Petitioner's Letter, ''Petitions for the Imposition of Antidumping and Countervailing Duties,'' dated June 4, 2025 (Petitions). The individual members of the Rebar Trade Action Coalition are Byer Steel Corporation, Commercial Metals Company, Gerdau Ameristeel US Inc., Nucor Corporation, Optimus Steel, and Steel Dynamics, Inc.

[2] *Id.*

[3] *See* Commerce's Letters, ''Supplemental Questions,'' dated June 9, 2025 (First General Issues Questionnaire), First Country-Specific CVD Supplemental Questionnaires: Algeria CVD Supplemental and Egypt CVD Supplemental, dated June 10, 2025, and Second Country-Specific CVD Supplemental Questionnaires: Second Algeria CVD Supplemental and Second Egypt CVD Supplemental, dated June 18 and 20, 2025; *see also* Memorandum, ''Teleconference with Counsel to the Petitioner,'' dated June 20, 2025 (June 20, 2025, Memorandum).

[4] *See* Petitioner's Letters, ''Petitioners' Response to Supplemental Questions—General Issues,'' dated June 11, 2025 (First General Issues Supplement) and ''Petitioner's Response to the 2nd Supplemental Questionnaire Regarding Common Issues and Injury Volume I of the Petition,'' dated June 23, 2025 (Second General Issues Supplement); *see also* Country-Specific CVD Supplemental Responses: Algeria CVD Supplement and Egypt CVD Supplement,'' dated June 13 and 16, 2025; and Second Country-Specific CVD Supplemental Responses: Second Algeria CVD Supplement and Second Egypt CVD Supplement, dated June 23, 2025.

[5] *See* section on ''Determination of Industry Support for the Petitions,'' *infra.*

[6] *See* 19 CFR 351.204(b)(2).

[7] *See* June 20, 2025, Memorandum.

[8] *See* Second General Issues Supplement at 1–2.

[9] *See Antidumping Duties; Countervailing Duties; Final Rule,* 62 FR 27296, 27323 (May 19, 1997) (*Preamble*).

[10] *See* 19 CFR 351.102(b)(21) (defining ''factual information'').

filed by 5:00 p.m. ET on July 24, 2025, which is 10 calendar days from the initial comment deadline.

Commerce requests that any factual information that parties consider relevant to the scope of these investigations be submitted during that time period. However, if a party subsequently finds that additional factual information pertaining to the scope of the investigations may be relevant, the party must contact Commerce and request permission to submit the additional information. All scope comments must be filed simultaneously on the records of the concurrent AD and CVD investigations.

Filing Requirements

All submissions to Commerce must be filed electronically via Enforcement and Compliance's Antidumping Duty and Countervailing Duty Centralized Electronic Service System (ACCESS), unless an exception applies.[11] An electronically filed document must be received successfully in its entirety by the time and date it is due.

Consultations

Pursuant to sections 702(b)(4)(A)(i) and (ii) of the Act, Commerce notified the GOA, GOE, and GOV of the receipt of the Petitions and provided an opportunity for consultations with respect to the Petitions.[12] Commerce held consultations with the GOV on June 20, 2025,[13] and the GOE on June 23, 2025.[14] The GOA did not request consultations.

Determination of Industry Support for the Petitions

Section 702(b)(1) of the Act requires that a petition be filed on behalf of the domestic industry. Section 702(c)(4)(A) of the Act provides that a petition meets this requirement if the domestic producers or workers who support the petition account for: (i) at least 25 percent of the total production of the domestic like product; and (ii) more than 50 percent of the production of the domestic like product produced by that portion of the industry expressing support for, or opposition to, the petition. Moreover, section 702(c)(4)(D) of the Act provides that, if the petition does not establish support of domestic producers or workers accounting for more than 50 percent of the total production of the domestic like product, Commerce shall: (i) poll the industry or rely on other information in order to determine if there is support for the petition, as required by subparagraph (A); or (ii) determine industry support using a statistically valid sampling method to poll the ''industry.''

Section 771(4)(A) of the Act defines the ''industry'' as the producers as a whole of a domestic like product. Thus, to determine whether a petition has the requisite industry support, the statute directs Commerce to look to producers and workers who produce the domestic like product. The U.S. International Trade Commission (ITC), which is responsible for determining whether ''the domestic industry'' has been injured, must also determine what constitutes a domestic like product in order to define the industry. While both Commerce and the ITC must apply the same statutory definition regarding the domestic like product,[15] they do so for different purposes and pursuant to a separate and distinct authority. In addition, Commerce's determination is subject to limitations of time and information. Although this may result in different definitions of the like product, such differences do not render the decision of either agency contrary to law.[16]

Section 771(10) of the Act defines the domestic like product as ''a product which is like, or in the absence of like, most similar in characteristics and uses with, the article subject to an investigation under this title.'' Thus, the reference point from which the domestic like product analysis begins is ''the article subject to an investigation'' (*i.e.,* the class or kind of merchandise to be investigated, which normally will be the scope as defined in the petition).

With regard to the domestic like product, the petitioner does not offer a definition of the domestic like product distinct from the scope of the investigations.[17] Based on our analysis of the information submitted on the record, we have determined that rebar, as defined in the scope, constitutes a single domestic like product, and we have analyzed industry support in terms of that domestic like product.[18]

In determining whether the petitioner has standing under section 702(c)(4)(A) of the Act, we considered the industry support data contained in the Petitions with reference to the domestic like product as defined in the ''Scope of the Investigations,'' in the appendix to this notice. To establish industry support, the petitioners provided the 2024 production of the domestic like product for the U.S. producers that support the Petitions and compared this to total production of the domestic like product by the U.S. rebar industry.[19] We relied on data provided by the petitioner for purposes of measuring industry support.[20]

Our review of the data provided in the Petitions, the First General Issues Supplement, and other information readily available to Commerce indicates that the petitioner has established industry support for the Petitions.[21] First, the Petitions established support from domestic producers (or workers) accounting for more than 50 percent of the total production of the domestic like product and, as such, Commerce is not required to take further action in order to evaluate industry support (*e.g.,* polling).[22] Second, the domestic producers (or workers) have met the statutory criteria for industry support under section 702(c)(4)(A)(i) of the Act because the domestic producers (or workers) who support the Petitions account for at least 25 percent of the total production of the domestic like product.[23] Finally, the domestic producers (or workers) have met the statutory criteria for industry support

[11] *See Antidumping and Countervailing Duty Proceedings: Electronic Filing Procedures; Administrative Protective Order Procedures,* 76 FR 39263 (July 6, 2011); *see also Enforcement and Compliance; Change of Electronic Filing System Name,* 79 FR 69046 (November 20, 2014), for details of Commerce's electronic filing requirements, effective August 5, 2011. Information on using ACCESS can be found at *https://access.trade.gov/help.aspx* and a handbook can be found at *https://access.trade.gov/help/Handbook_on_Electronic_Filing_Procedures.pdf.*

[12] *See* Commerce's Letters, ''Invitation for Consultations to Discuss the Countervailing Duty Petition,'' dated June 9, 2025.

[13] *See* Memorandum, ''Consultations with the Government of Vietnam,'' dated June 20, 2025; *see also* GOV's Letter, ''Comments on Countervailing Duty Petition,'' dated June 23, 2025.

[14] *See* Memorandum, ''Consultations with the Government of Egypt,'' dated June 23, 2025; *see also* GOE's Letter, ''Consultations Statement,'' dated June 23, 2025.

[15] *See* section 771(10) of the Act.

[16] *See USEC, Inc.* v. *United States,* 132 F. Supp. 2d 1, 8 (CIT 2001) (citing *Algoma Steel Corp., Ltd.* v. *United States,* 688 F. Supp. 639, 644 (CIT 1988), *aff'd Algoma Steel Corp., Ltd.* v. *United States,* 865 F.2d 240 (Fed. Cir. 1989)).

[17] For a discussion of the domestic like product analysis as applied to these cases and information regarding industry support, *see* Checklists, ''Countervailing Duty Investigation Initiation Checklists: Steel Concrete Reinforcing Bar from Algeria, Egypt, and the Socialist Republic of Vietnam'' dated concurrently with, and hereby adopted by, this notice (Country-Specific CVD Initiation Checklists), at Attachment II, Analysis of Industry Support for the Antidumping and Countervailing Duty Petitions Covering Steel Concrete Reinforcing Bar from Algeria, Bulgaria, Egypt, and the Socialist Republic of Vietnam (Attachment II). These checklists are on file electronically via ACCESS.

[18] For further discussion, *see* Attachment II of the Country-Specific CVD Initiation Checklists.

[19] *Id.*

[20] For further discussion, *see* Attachment II of the Country-Specific CVD Initiation Checklists.

[21] *Id.*

[22] *Id.; see also* section 702(c)(4)(D) of the Act.

[23] *See* Attachment II of the Country-Specific CVD Initiation Checklists.

under section 702(c)(4)(A)(ii) of the Act because the domestic producers (or workers) who support the Petitions account for more than 50 percent of the production of the domestic like product produced by that portion of the industry expressing support for, or opposition to, the Petitions.[24] Accordingly, Commerce determines that the Petitions were filed on behalf of the domestic industry within the meaning of section 702(b)(1) of the Act.[25]

Injury Test

Because Egypt and Vietnam are ''Subsidies Agreement Countries'' within the meaning of section 701(b) of the Act, section 701(a)(2) of the Act applies to these investigations.[26] Accordingly, the ITC must determine whether imports of the subject merchandise from Egypt and/or Vietnam materially injure, or threaten material injury to, a U.S. industry.

Allegations and Evidence of Material Injury and Causation

The petitioner alleges that imports of the subject merchandise are benefiting from countervailable subsidies and that such imports are causing, or threaten to cause, material injury to the U.S. industry producing the domestic like product. In addition, the petitioner alleges that subject imports from Algeria, Egypt, and Vietnam individually exceed the negligibility threshold provided for under section 771(24)(A) of the Act.[27]

The petitioner contends that the industry's injured condition is illustrated by the significant volume of subject imports; reduced market share; underselling and price depression and/or suppression; lost sales and revenues; and declines in the domestic industry's production, capacity utilization, shipment values, and financial performance.[28] We assessed the allegations and supporting evidence regarding material injury, threat of material injury, causation, cumulation, as well as negligibility, and we have determined that these allegations are properly supported by adequate evidence and meet the statutory requirements for initiation.[29]

Initiation of CVD Investigations

Based upon the examination of the Petitions and supplemental responses, we find that they meet the requirements of section 702 of the Act. Therefore, we are initiating CVD investigations to determine whether imports of rebar from Algeria, Egypt, and Vietnam benefit from countervailable subsidies conferred by the GOA, GOE, and GOV, respectively. In accordance with section 703(b)(1) of the Act and 19 CFR 351.205(b)(1), unless postponed, we will make our preliminary determinations no later than 65 days after the date of this initiation.

Algeria

Based on our review of the Petitions, we find that there is sufficient information to initiate a CVD investigation on 24 programs alleged by the petitioner. For a full discussion of the basis for our decision to initiate on each program, *see* the Algeria CVD Initiation Checklist. A public version of the initiation checklist for this investigation is available on ACCESS.

Egypt

Based on our review of the Petitions, we find that there is sufficient information to initiate a CVD investigation on 25 programs alleged by the petitioner. For a full discussion of the basis for our decision to initiate on each program, *see* the Egypt CVD Initiation Checklist. A public version of the initiation checklist for this investigation is available on ACCESS.

Vietnam

Based on our review of the Petitions, we find that there is sufficient information to initiate a CVD investigation on 39 programs alleged by the petitioner. For a full discussion of the basis for our decision to initiate on each program, *see* the Vietnam CVD Initiation Checklist. A public version of the initiation checklist for this investigation is available on ACCESS.

Respondent Selection

Algeria, Egypt, and Vietnam

In the Petitions, the petitioners identified four companies in Algeria, 13 companies in Egypt, and 10 companies in Vietnam as producers and/or exporters of rebar.[30] Commerce intends to follow its standard practice in CVD investigations and calculate company-specific subsidy rates in the investigations. Following standard practice in CVD investigations, in the event Commerce determines that the number of companies is large, and it cannot individually examine each company based upon Commerce's resources, where appropriate, Commerce intends to select mandatory respondents based on U.S. Customs and Border Protection (CBP) data for imports under the appropriate Harmonized Tariff Schedule of the United States (HTSUS) subheading(s) listed in the ''Scope of the Investigations,'' in the appendix.

On June 23, 2025, Commerce released CBP data on imports of rebar from Algeria, Egypt, and Vietnam under administrative protective order (APO) to all parties with access to information protected by APO and indicated that interested parties wishing to comment on CBP data and/or respondent selection must do so within three business days of the publication date of the notice of initiation of these investigations.[31] Comments must be filed electronically using ACCESS. An electronically filed document must be received successfully in its entirety via ACCESS by 5:00 p.m. ET on the specified deadline. Commerce will not accept rebuttal comments regarding the CBP data or respondent selection.

Interested parties must submit applications for disclosure under APO in accordance with 19 CFR 351.305(b). Instructions for filing such applications may be found on Commerce's website at *https://www.trade.gov/administrative-protective-orders.*

Distribution of Copies of the Petitions

In accordance with section 702(b)(4)(A) of the Act and 19 CFR 351.202(f), a copy of the public version of the Petitions has been provided to the GOA, GOE, and GOV via ACCESS. To the extent practicable, we will attempt to provide a copy of the public version of the Petitions to each exporter named in the Petitions, as provided under 19 CFR 351.203(c)(2).

[24] *Id.*

[25] *Id.*

[26] We note that Algeria is not a member of the World Trade Organization. As such, it is unclear whether Algeria is a ''Subsidies Agreement Country'' within the meaning of section 701(b) of the Act, and whether the ITC is required to determine whether the allegedly subsidized imports of subject merchandise from Algeria materially injure or threaten material injury to, a U.S. industry. For purposes of these initiations, we have considered the petitioner's injury allegation as a whole, regardless of whether Algeria meets the provisions for ''Subsidies Agreement Country'' under sections 702(b)(2) or 702(b)(3) of the Act.

[27] For further information regarding negligibility and the injury allegation, *see* Country-Specific CVD Initiation Checklists at Attachment III, Analysis of Allegations and Evidence of Material Injury and Causation for the Antidumping Duty and Countervailing Duty Petitions Covering Steel Concrete Reinforcing Bar from Algeria, Bulgaria, Egypt, and Vietnam (Attachment III).

[28] *See* Attachment III of the Country-Specific CVD Initiation Checklists.

[29] *Id.*

[30] *See* Petitions at Volume I (page 18 and Exhibit I–10).

[31] *See* Country-Specific Memoranda, ''Release of U.S. Customs and Border Protection Entry Data,'' dated June 23, 2025.

ITC Notification

Commerce will notify the ITC of its initiation, as required by section 702(d) of the Act.

Preliminary Determinations by the ITC

The ITC will preliminarily determine, within 45 days after the date on which the Petitions were filed, whether there is a reasonable indication that imports of rebar from Egypt, and/or Vietnam are materially injuring, or threatening material injury to, a U.S. industry.[32] A negative ITC determination for either country will result in the investigation being terminated with respect to that country.[33] Otherwise, these CVD investigations will proceed according to statutory and regulatory time limits.

Submission of Factual Information

Factual information is defined in 19 CFR 351.102(b)(21) as: (i) evidence submitted in response to questionnaires; (ii) evidence submitted in support of allegations; (iii) publicly available information to value factors of production under 19 CFR 351.408(c) or to measure the adequacy of remuneration under 19 CFR 351.511(a)(2); (iv) evidence placed on the record by Commerce; and (v) evidence other than factual information described in (i)–(iv). Section 351.301(b) of Commerce's regulations requires any party, when submitting factual information, to specify under which subsection of 19 CFR 351.102(b)(21) the information is being submitted [34] and, if the information is submitted to rebut, clarify, or correct factual information already on the record, to provide an explanation identifying the information already on the record that the factual information seeks to rebut, clarify, or correct.[35] Time limits for the submission of factual information are addressed in 19 CFR 351.301, which provides specific time limits based on the type of factual information being submitted. Interested parties should review the regulations prior to submitting factual information in these investigations.

Extensions of Time Limits

Parties may request an extension of time limits before the expiration of a time limit established under 19 CFR 351.301, or as otherwise specified by Commerce. In general, an extension request will be considered untimely if it is filed after the expiration of the time limit established under 19 CFR 351.301, or as otherwise specified by Commerce.[36] For submissions that are due from multiple parties simultaneously, an extension request will be considered untimely if it is filed after 10:00 a.m. ET on the due date. Under certain circumstances, Commerce may elect to specify a different time limit by which extension requests will be considered untimely for submissions which are due from multiple parties simultaneously. In such a case, we will inform parties in a letter or memorandum of the deadline (including a specified time) by which extension requests must be filed to be considered timely. An extension request must be made in a separate, standalone submission; under limited circumstances we will grant untimely filed requests for the extension of time limits, where we determine, based on 19 CFR 351.302, that extraordinary circumstances exist. Parties should review Commerce's regulations concerning the extension of time limits and the *Time Limits Final Rule* prior to submitting factual information in these investigations.[37]

Certification Requirements

Any party submitting factual information in an AD or CVD proceeding must certify to the accuracy and completeness of that information.[38] Parties must use the certification formats provided in 19 CFR 351.303(g).[39] Commerce intends to reject factual submissions if the submitting party does not comply with the applicable certification requirements.

Notification to Interested Parties

Interested parties must submit applications for disclosure under APO in accordance with 19 CFR 351.305. Parties wishing to participate in these investigations should ensure that they meet the requirements of 19 CFR 351.103(d) (*e.g.,* by filing the required letters of appearance). Note that Commerce has amended certain of its requirements pertaining to the service of documents in 19 CFR 351.303(f).[40]

This notice is issued and published pursuant to sections 702 and 777(i) of the Act, and 19 CFR 351.203(c).

Dated: June 24, 2025.

Abdelali Elouaradia,

Deputy Assistant Secretary for Enforcement and Compliance.

Appendix

Scope of the Investigations

The merchandise subject to these investigations is steel concrete reinforcing bar imported in either straight length or coil form (rebar) regardless of metallurgy, length, diameter, or grade or lack thereof.

The subject merchandise includes rebar that has been further processed in the subject countries or a third country, including but not limited to cutting, grinding, galvanizing, painting, coating, or any other processing that would not otherwise remove the merchandise from the scope of these investigations if performed in the country of manufacture of the rebar.

Specifically excluded are plain rounds (*i.e.,* nondeformed or smooth rebar).

The subject merchandise is classifiable in the Harmonized Tariff Schedule of the United States (HTSUS) primarily under item numbers 7213.10.0000, 7214.20.0000, and 7228.30.8010. The subject merchandise may also enter under other HTSUS numbers including 7221.00.0017, 7221.00.0018, 7221.00.0030, 7221.00.0045, 7222.11.0001, 7222.11.0057, 7222.11.0059, 7222.30.0001, 7227.20.0080, 7227.90.6030, 7227.90.6035, 7227.90.6040, 7228.20.1000, and 7228.60.6000. HTSUS numbers are provided for convenience and customs purposes; however, the written description of the scope remains dispositive.

[FR Doc. 2025–12044 Filed 6–27–25; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity To Request Administrative Review and Join Annual Inquiry Service List

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

FOR FURTHER INFORMATION CONTACT: Brenda E. Brown, AD/CVD Operations, Customs Liaison Unit, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230, telephone: (202) 482–4735.

[32] *See* section 703(a)(1) of the Act. As noted above, it is unclear whether Algeria is a ''Subsidies Agreement Country'' and whether the ITC is required to make a determination with respect to the allegedly subsidized imports from Algeria.

[33] *Id.*

[34] *See* 19 CFR 351.301(b).

[35] *See* 19 CFR 351.301(b)(2).

[36] *See* 19 CFR 351.302.

[37] *See* 19 CFR 351.301; *see also Extension of Time Limits; Final Rule,* 78 FR 57790 (September 20, 2013) (*Time Limits Final Rule*), available at *https://www.gpo.gov/fdsys/pkg/FR-2013-09-20/html/2013-22853.htm.*

[38] *See* section 782(b) of the Act.

[39] *See Certification of Factual Information to Import Administration During Antidumping and Countervailing Duty Proceedings,* 78 FR 42678 (July 17, 2013) (*Final Rule*); *see also* frequently asked questions regarding the *Final Rule,* available at *https://enforcement.trade.gov/tlei/notices/factual_info_final_rule_FAQ_07172013.pdf.*

[40] *See Administrative Protective Order, Service, and Other Procedures in Antidumping and Countervailing Duty Proceedings,* 88 FR 67069 (September 29, 2023).

SUPPLEMENTARY INFORMATION:

Background

Each year during the anniversary month of the publication of an antidumping duty (AD) or countervailing duty (CVD) order, finding, or suspended investigation, an interested party, as defined in section 771(9) of the Tariff Act of 1930, as amended (the Act), may request, in accordance with 19 CFR 351.213, that the U.S. Department of Commerce (Commerce) conduct an administrative review of that AD or CVD order, finding, or suspended investigation.

All deadlines for the submission of comments or actions by Commerce discussed below refer to the number of calendar days from the applicable starting date.

Respondent Selection

In the event Commerce limits the number of respondents for individual examination for administrative reviews initiated pursuant to requests made for the orders identified below, Commerce intends to select respondents based on U.S. Customs and Border Protection (CBP) data for U.S. imports during the period of review (POR). We intend to release the CBP data under Administrative Protective Order (APO) to all parties having an APO within five days of publication of the initiation notice and to make our decision regarding respondent selection within 35 days of publication of the initiation **Federal Register** notice. Therefore, we encourage all parties interested in commenting on respondent selection to submit their APO applications on the date of publication of the initiation notice, or as soon thereafter as possible. Commerce invites comments regarding the CBP data and respondent selection within five days of placement of the CBP data on the record of the review.

In the event Commerce decides it is necessary to limit individual examination of respondents and conduct respondent selection under section 777A(c)(2) of the Act:

1. In general, Commerce finds that determinations concerning whether particular companies should be ''collapsed'' (*i.e.,* treated as a single entity for purposes of calculating AD rates) require a substantial amount of detailed information and analysis, which often require follow-up questions and analysis. Accordingly, Commerce will not conduct collapsing analyses at the respondent selection phase of a review and will not collapse companies at the respondent selection phase unless there has been a determination to collapse certain companies in a previous segment of this AD proceeding (*i.e.,* investigation, administrative review, new shipper review, or changed circumstances review).

2. For any company subject to a review, if Commerce determined, or continued to treat, that company as collapsed with others, Commerce will assume that such companies continue to operate in the same manner and will collapse them for respondent selection purposes. Otherwise, Commerce will not collapse companies for purposes of respondent selection.

3. Parties are requested to: (a) identify which companies subject to review previously were collapsed; and (b) provide a citation to the proceeding in which they were collapsed.

4. Further, if companies are requested to complete a Quantity and Value Questionnaire for purposes of respondent selection, in general, each company must report volume and value data separately for itself. Parties should not include data for any other party, even if they believe they should be treated as a single entity with that other party. If a company was collapsed with another company or companies in the most recently completed segment of a proceeding where Commerce considered collapsing that entity, complete quantity and value data for that collapsed entity must be submitted.

Deadline for Withdrawal of Request for Administrative Review

Pursuant to 19 CFR 351.213(d)(1), a party that requests a review may withdraw that request within 90 days of the date of publication of the notice of initiation of the requested review. The regulation provides that Commerce may extend this time if it is reasonable to do so. Determinations by Commerce to extend the 90-day deadline will be made on a case-by-case basis.

Deadline for Particular Market Situation Allegation

Section 504 of the Trade Preferences Extension Act of 2015 amended the Act by adding the concept of particular market situation (PMS) for purposes of constructed value under section 773(e) of the Act.[1] Section 773(e) of the Act states that ''if a particular market situation exists such that the cost of materials and fabrication or other processing of any kind does not accurately reflect the cost of production in the ordinary course of trade, the administering authority may use another calculation methodology under this subtitle or any other calculation methodology.'' When an interested party submits a PMS allegation, pursuant to section 773(e) of the Act, Commerce will respond to such a submission consistent with 19 CFR 351.301(c)(2)(v). If Commerce finds that a PMS exists under section 773(e) of the Act, then it will modify its dumping calculations appropriately.

Neither section 773(e) of the Act nor 19 CFR 351.301(c)(2)(v) set a deadline for the submission of PMS allegations and supporting factual information. However, in order to administer section 773(e) of the Act, Commerce must receive PMS allegations and supporting factual information with enough time to consider the submission. Thus, should an interested party wish to submit a PMS allegation and supporting new factual information pursuant to section 773(e) of the Act, it must do so no later than 20 days after submission of initial Section D responses.

Opportunity To Request a Review: Not later than the last day of July 2025,[2] interested parties may request an administrative review of the following orders, findings, or suspended investigations, with anniversary dates in July for the following periods:

	Period
Antidumping Duty Proceedings	
BELGIUM: Citric Acid And Certain Citrate Salts, A–423–813	7/1/24–6/30/25
BOSNIA AND HERZEGOVINA: Mattresses, A–893–002	3/1/24–6/30/25
BULGARIA: Mattresses, A–487–001	3/1/24–6/30/25
BURMA: Mattresses, A–546–001	12/2/23–6/30/25

[1] *See* Trade Preferences Extension Act of 2015, Public Law 114–27, 129 Stat. 362 (2015).

[2] Or the next business day, if the deadline falls on a weekend, Federal holiday or any other day when Commerce is closed.

	Period
CAMBODIA: Certain Paper Shopping Bags, A–555–002	1/3/24–6/30/25
COLOMBIA: Citric Acid And Certain Citrate Salts, A–301–803	7/1/24–6/30/25
COLOMBIA: Certain Paper Shopping Bags, A–301–805	1/3/24–6/30/25
FRANCE: Methionine, A–427–831	7/1/24–6/30/25
INDIA:	
Certain Corrosion-Resistant Steel Products, A–533–863	7/1/24–6/30/25
Certain Paper Shopping Bags, A–533–917	1/3/24–6/30/25
Fine Denier Polyester Staple Fiber A–533–875	7/1/24–6/30/25
Polyethylene Terephthalate (Pet) Film, A–533–824	7/1/24–6/30/25
IRAN: In-Shell Pistachios, A–507–502	7/1/24–6/30/25
ITALY:	
Certain Pasta, A–475–818	7/1/24–6/30/25
ITALY: Certain Corrosion-Resistant Steel Products, A–475–832	7/1/24–6/30/25
Mattresses, A–475–845	3/1/24–6/30/25
JAPAN:	
Clad Steel Plate, A–588–838	7/1/24–6/30/25
Stainless Steel Sheet and Strip In Coils, A–588–845	7/1/24–6/30/25
Polyvinyl Alcohol, A–588–861	7/1/24–6/30/25
Cold-Rolled Steel Flat Products, A–588–873	7/1/24–6/30/25
Steel Concrete Reinforcing Bar, A–588–876	7/1/24–6/30/25
MALAYSIA:	
Certain Paper Shopping Bags, A–557–825	1/3/24–6/30/25
Certain Steel Nails, A–557–816	7/1/24–6/30/25
Welded Stainless Steel Pressure Pipe, A–557–815	7/1/24–6/30/25
OMAN: Certain Steel Nails, A–523–808	7/1/24–6/30/25
PHILIPPINES: Mattresses, A–565–804	3/1/24–6/30/25
POLAND: Mattresses, A–455–807	7/1/24–6/30/25
PORTUGAL: Certain Paper Shopping Bags, A–471–808	1/3/24–6/30/25
REPUBLIC OF KOREA:	
Certain Corrosion-Resistant Steel Products, A–580–878	7/1/24–6/30/25
Certain Steel Nails, A–580–874	7/1/24–6/30/25
Fine Denier Polyester Staple Fiber, A–580–893	7/1/24–6/30/25
Passenger Vehicle and Light Truck Tires, A–580–908	7/1/24–6/30/25
Stainless Steel Sheet and Strip In Coils, A–580–834	7/1/24–6/30/25
REPUBLIC OF TÜRKIYE:	
Certain Pasta, A–489–805	7/1/24–6/30/25
Steel Concrete Reinforcing Bar, A–489–829	7/1/24–6/30/25
SLOVENIA: Mattresses, A–856–002	3/1/24–6/30/25
SOCIALIST REPUBLIC OF VIETNAM:	
Certain Paper Shopping Bags, A–552–836	1/3/24–6/30/25
Certain Steel Nails, A–552–818	7/1/24–6/30/25
Certain Walk-Behind Lawn Mowers and Parts Thereof, A–552–830	7/1/24–6/30/25
Welded Stainless Steel Pressure Pipe, A–552–816	7/1/24–6/30/25
TAIWAN:	
Certain Corrosion-Resistant Steel Products, A–583–856	7/1/24–6/30/25
Certain Fine Denier Polyester Staple Fiber, A–583–860	7/1/24–6/30/25
Certain Paper Shopping Bags, A–583–872	1/3/24–6/30/25
Certain Steel Nails, A–583–854	7/1/24–6/30/25
Mattresses, A–583–873	3/1/24–6/30/25
Passenger Vehicle and Light Truck Tires, A–583–869	7/1/24–6/30/25
Polyethylene Terephthalate (Pet) Film, A–583–837	7/1/24–6/30/25
Stainless Steel Sheet and Strip In Coils, A–583–831	7/1/24–6/30/25
THAILAND:	
Certain Carbon Steel Butt-Weld Pipe Fittings, A–549–807	7/1/24–6/30/25
Citric Acid And Certain Citrate Salts, A–549–833	7/1/24–6/30/25
Passenger Vehicle and Light Truck Tires, A–549–842	7/1/24–6/30/25
Welded Stainless Steel Pressure Pipe, A–549–830	7/1/24–6/30/25
THE PEOPLE'S REPUBLIC OF CHINA:	
Certain Carbon Steel Butt-Weld Pipe Fittings, A–570–814	7/1/24–6/30/25
Certain Chassis and Subassemblies Thereof, A–570–135	7/1/24–6/30/25
Certain Freight Rail Couplers and Parts Thereof, A–570–145	7/1/24–6/30/25
Certain Hardwood Plywood Products,[3] A–570–051	6/17/20–9/25/21
Certain Paper Shopping Bags, A–570–152	1/3/24–6/30/25
Certain Walk-Behind Lawn Mowers and Parts Thereof, A–570–129	7/1/24–6/30/25
Circular Welded Carbon Quality Steel Pipe, A–570–910	7/1/24–6/30/25
Cold-Rolled Steel Flat Products, A–570–029	7/1/24–6/30/25
Collated Steel Staples, A–570–112	7/1/24–6/30/25
Certain Corrosion-Resistant Steel Products, A–570–026	7/1/24–6/30/25
Fine Denier Polyester Staple Fiber, A–570–060	7/1/24–6/30/25
Persulfates. A–570–847	7/1/24–6/30/25
Quartz Surface Products, A–570–084	7/1/24–6/30/25
Sodium And Potassium Phosphate Salts, A–570–962	7/1/24–6/30/25

	Period
Steel Grating, A–570–947	7/1/24–6/30/25
Xanthan Gum, A–570–985	7/1/24–6/30/25
UKRAINE: Oil Country Tubular Goods, A–823–815	7/1/24–6/30/25
Countervailing Duty Proceedings	
INDIA:	
Certain Corrosion-Resistant Steel Products, C–533–864	1/1/24–12/31/24
Certain Paper Shopping Bags, C–533–918	11/6/23–12/31/24
Polyethylene Terephthalate (Pet) Film, C–533–825	1/1/24–12/31/24
ITALY:	
Certain Pasta, C–475–819	1/1/24–12/31/24
Corrosion-Resistant Steel Products, C–475–833	1/1/24–12/31/24
REPUBLIC OF KOREA: Corrosion-Resistant Steel Products, C–580–879	1/1/24–12/31/24
REPUBLIC OF TÜRKIYE:	
Certain Pasta, C–489–806	1/1/24–12/31/24
Steel Concrete Reinforcing Bar, C–489–830	1/1/24–12/31/24
Certain Steel Nails, C–552–819	1/1/24–12/31/24
SOCIALIST REPUBLIC OF VIETNAM:	
Passenger Vehicle and Light Truck Tires, C–552–829	1/1/24–12/31/24
THE PEOPLE'S REPUBLIC OF CHINA:	
Certain Freight Rail Couplers and Parts Thereof, C–570–146	1/1/24–12/31/24
Certain Hardwood Plywood Products,[4] C–570–052	6/17/20–9/25/21
Certain Paper Shopping Bags, C–570–153	11/6/23–12/31/24
Certain Quartz Surface Products, C–570–085	1/1/24–12/31/24
Certain Walk-Behind Lawn Mowers and Parts Thereof, C–570–130	1/1/24–12/31/24
Circular Welded Carbon Quality Steel Pipe, C–570–911	1/1/24–12/31/24
Cold-Rolled Steel Flat Products, C–570–030	1/1/24–12/31/24
Collated Steel Staples, C–570–113	1/1/24–12/31/24
Corrosion-Resistant Steel Products, C–570–027	1/1/24–12/31/24
Prestressed Concrete Steel Wire Strand, C–570–946	1/1/24–12/31/24
Sodium And Potassium Phosphate Salts, C–570–963	1/1/24–12/31/24
Steel Grating, C–570–948	1/1/24–12/31/24

Suspension Agreements

None.

In accordance with 19 CFR 351.213(b), an interested party as defined by section 771(9) of the Act may request in writing that Commerce conduct an administrative review. For both AD and CVD reviews, the interested party must specify the individual producers or exporters covered by an AD finding or an AD or CVD order or suspension agreement for which it is requesting a review. In addition, a domestic interested party or an interested party described in section 771(9)(B) of the Act must state why it desires Commerce to review those particular producers or exporters. If the interested party intends for Commerce to review sales of merchandise by an exporter (or a producer if that producer also exports merchandise from other suppliers) which was produced in more than one country of origin and each country of origin is subject to a separate order, then the interested party must state specifically, on an order-by-order basis, which exporter(s) the request is intended to cover.

Note that, for any party Commerce was unable to locate in prior segments, Commerce will not accept a request for an administrative review of that party absent new information as to the party's location. Moreover, if the interested party who files a request for review is unable to locate the producer or exporter for which it requested the review, the interested party must provide an explanation of the attempts it made to locate the producer or exporter at the same time it files its request for review, in order for Commerce to determine if the interested party's attempts were reasonable, pursuant to 19 CFR 351.303(f)(3)(ii).

As explained in *Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties,* 68 FR 23954 (June 6, 2003), and *Non-Market Economy Antidumping Proceedings: Assessment of Antidumping Duties,* 76 FR 65694 (October 24, 2011), Commerce clarified its practice with respect to the collection of final antidumping duties on imports of merchandise where intermediate firms are involved. The public should be aware of this clarification in determining whether to request an administrative review of merchandise subject to AD findings and orders.[5]

Commerce no longer considers the non-market economy (NME) entity as an exporter conditionally subject to an AD administrative review.[6] Accordingly, the NME entity will not be under review unless Commerce specifically receives a request for, or self-initiates, a review of the NME entity.[7] In administrative reviews of AD orders on merchandise from NME countries where a review of the NME entity has not been initiated, but where an individual exporter for which a review was initiated does not qualify for a separate rate, Commerce

[3] In the final results of the fifth administrative reviews of the AD and CVD orders on certain hardwood plywood products from the People's Republic of China, we notified parties that we would expand the ongoing seventh administrative review to include entries from June 17, 2020, through September 25, 2021. *See Certain Hardwood Plywood Products from the People's Republic of China: Final Results of Administrative Reviews of the Antidumping and Countervailing Duty Orders, Final Determination of No Shipments; 2021–2022,* 90 FR 21271 (May 19, 2025), and accompanying Issues and Decision Memorandum at Comment 9.

[4] *Id.*

[5] *See* the Enforcement and Compliance website at *https://www.trade.gov/us-antidumping-and-countervailing-duties.*

[6] *See Antidumping Proceedings: Announcement of Change in Department Practice for Respondent Selection in Antidumping Duty Proceedings and Conditional Review of the Nonmarket Economy Entity in NME Antidumping Duty Proceedings,* 78 FR 65963 (November 4, 2013).

[7] In accordance with 19 CFR 351.213(b)(1), parties should specify that they are requesting a review of entries from exporters comprising the entity, and to the extent possible, include the names of such exporters in their request.

will issue a final decision indicating that the company in question is part of the NME entity. However, in that situation, because no review of the NME entity was conducted, the NME entity's entries were not subject to the review and the rate for the NME entity is not subject to change as a result of that review (although the rate for the individual exporter may change as a function of the finding that the exporter is part of the NME entity). Following initiation of an AD administrative review when there is no review requested of the NME entity, Commerce will instruct CBP to liquidate entries for all exporters not named in the initiation notice, including those that were suspended at the NME entity rate.

All requests must be filed electronically in Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS) on Enforcement and Compliance's ACCESS website at *https://access.trade.gov.*[8] Further, in accordance with 19 CFR 351.303(f)(l)(i), a copy of each request must be served on the petitioner and each exporter or producer specified in the request. Note that Commerce has amended certain of its requirements pertaining to the service of documents in 19 CFR 351.303(f).[9]

Commerce will publish in the **Federal Register** a notice of ''Initiation of Administrative Review of Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation'' for requests received by the last day of July 2025. If Commerce does not receive, by the last day of July 2025, a request for review of entries covered by an order, finding, or suspended investigation listed in this notice and for the period identified above, Commerce will instruct CBP to assess antidumping or countervailing duties on those entries at a rate equal to the cash deposit of estimated antidumping or countervailing duties required on those entries at the time of entry, or withdrawal from warehouse, for consumption and to continue to collect the cash deposit previously ordered.

For the first administrative review of any order, there will be no assessment of antidumping or countervailing duties on entries of subject merchandise entered, or withdrawn from warehouse, for consumption during the relevant provisional-measures ''gap'' period of the order, if such a gap period is applicable to the period of review.

Establishment of and Updates to the Annual Inquiry Service List

On September 20, 2021, Commerce published the final rule titled ''*Regulations to Improve Administration and Enforcement of Antidumping and Countervailing Duty Laws*'' in the **Federal Register**.[10] On September 27, 2021, Commerce also published the notice entitled ''*Scope Ruling Application; Annual Inquiry Service List; and Informational Sessions*'' in the **Federal Register**.[11] The *Final Rule* and *Procedural Guidance* provide that Commerce will maintain an annual inquiry service list for each order or suspended investigation, and any interested party submitting a scope ruling application or request for circumvention inquiry shall serve a copy of the application or request on the persons on the annual inquiry service list for that order, as well as any companion order covering the same merchandise from the same country of origin.[12]

In accordance with the *Procedural Guidance,* for orders published in the **Federal Register** before November 4, 2021, Commerce created an annual inquiry service list segment for each order and suspended investigation. Interested parties who wished to be added to the annual inquiry service list for an order submitted an entry of appearance to the annual inquiry service list segment for the order in ACCESS and, on November 4, 2021, Commerce finalized the initial annual inquiry service lists for each order and suspended investigation. Each annual inquiry service list has been saved as a public service list in ACCESS, under each case number, and under a specific segment type called ''AISL-Annual Inquiry Service List.'' [13]

As mentioned in the *Procedural Guidance,* beginning in January 2022, Commerce will update these annual inquiry service lists on an annual basis when the *Opportunity Notice* for the anniversary month of the order or suspended investigation is published in the **Federal Register**.[14] Accordingly, Commerce will update the annual inquiry service lists for the above-listed AD and CVD proceedings. All interested parties wishing to appear on the updated annual inquiry service list must take one of the two following actions: (1) new interested parties who did not previously submit an entry of appearance must submit a new entry of appearance at this time; (2) interested parties who were included in the preceding annual inquiry service list must submit an amended entry of appearance to be included in the next year's annual inquiry service list. For these interested parties, Commerce will change the entry of appearance status from ''Active'' to ''Needs Amendment'' for the annual inquiry service lists corresponding to the above-listed proceedings. This will allow those interested parties to make any necessary amendments and resubmit their entries of appearance. If no amendments need to be made, the interested party should indicate in the area on the ACCESS form requesting an explanation for the amendment that it is resubmitting its entry of appearance for inclusion in the annual inquiry service list for the following year. As mentioned in the *Final Rule,*[15] once the petitioners and foreign governments have submitted an entry of appearance for the first time, they will automatically be added to the updated annual inquiry service list each year.

Interested parties have 30 days after the date of this notice to submit new or amended entries of appearance. Commerce will then finalize the annual inquiry service lists five business days thereafter. For ease of administration, please note that Commerce requests that law firms with more than one attorney representing interested parties in a proceeding designate a lead attorney to be included on the annual inquiry service list.

Commerce may update an annual inquiry service list at any time as needed based on interested parties' amendments to their entries of appearance to remove or otherwise modify their list of members and representatives, or to update contact information. Any changes or announcements pertaining to these

[8] *See Antidumping and Countervailing Duty Proceedings: Electronic Filing Procedures; Administrative Protective Order Procedures,* 76 FR 39263 (July 6, 2011).

[9] *See Administrative Protective Order, Service, and Other Procedures in Antidumping and Countervailing Duty Proceedings; Final Rule,* 88 FR 67069 (September 29, 2023).

[10] *See Regulations to Improve Administration and Enforcement of Antidumping and Countervailing Duty Laws,* 86 FR 52300 (September 20, 2021) (*Final Rule*).

[11] *See Scope Ruling Application; Annual Inquiry Service List; and Informational Sessions,* 86 FR 53205 (September 27, 2021) (*Procedural Guidance*).

[12] *Id.*

[13] This segment has been combined with the ACCESS Segment Specific Information (SSI) field which will display the month in which the notice of the order or suspended investigation was published in the **Federal Register**, also known as the anniversary month. For example, for an order under case number A–000–000 that was published in the **Federal Register** in January, the relevant segment and SSI combination will appear in ACCESS as ''AISL-January Anniversary.'' Note that there will be only one annual inquiry service list segment per case number, and the anniversary month will be pre-populated in ACCESS.

[14] *See Procedural Guidance,* 86 FR at 53206.

[15] *See Final Rule,* 86 FR at 52335.

procedures will be posted to the ACCESS website at *https://access.trade.gov.*

Special Instructions for Petitioners and Foreign Governments

In the *Final Rule,* Commerce stated that, ''after an initial request and placement on the annual inquiry service list, both petitioners and foreign governments will automatically be placed on the annual inquiry service list in the years that follow.'' [16] Accordingly, as stated above and pursuant to 19 CFR 351.225(n)(3), the petitioners and foreign governments will not need to resubmit their entries of appearance each year to continue to be included on the annual inquiry service list. However, the petitioners and foreign governments are responsible for making amendments to their entries of appearance during the annual update to the annual inquiry service list in accordance with the procedures described above.

Notification to Interested Parties

This notice is not required by statute but is published as a service to the international trading community.

Dated: June 17, 2025.

Scot Fullerton,

Acting Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.

[FR Doc. 2025–12051 Filed 6–27–25; 8:45 am]

BILLING CODE 3510–DS–P

[16] *Id.*

DEPARTMENT OF COMMERCE

International Trade Administration

[A–721–001, A–487–002, A–729–805, A–552–853]

Steel Concrete Reinforcing Bar From Algeria, Bulgaria, Egypt, and the Socialist Republic of Vietnam: Initiation of Less-Than-Fair-Value Investigations

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

DATES: Applicable June 24, 2025.

FOR FURTHER INFORMATION CONTACT: Anjali Mehindiratta at (202) 482–9127 (Algeria), Hermes Pinilla at (202) 482–3477 (Bulgaria), Anne Entz at (202) 482–3845 (Egypt), and Charles Doss at (202) 482–4474 (the Socialist Republic of Vietnam (Vietnam)), AD/CVD Operations, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230.

SUPPLEMENTARY INFORMATION:

The Petitions

On June 4, 2025, the U.S. Department of Commerce (Commerce) received antidumping duty (AD) petitions concerning imports of steel concrete reinforcing bar (rebar) from Algeria, Bulgaria, Egypt, and Vietnam filed in proper form on behalf of the Rebar Trade Action Coalition (the petitioner) and its individual members, domestic producers of rebar.[1] The AD Petitions were accompanied by countervailing duty (CVD) petitions concerning imports of rebar from Algeria, Egypt, and Vietnam.[2]

Between June 9 and 20, 2025, Commerce requested supplemental information pertaining to certain aspects of the Petitions in supplemental questionnaires.[3] Between June 11 and 23, 2025, the petitioner filed timely responses to these requests for additional information.[4]

In accordance with section 732(b) of the Tariff Act of 1930, as amended (the Act), the petitioner alleges that imports of rebar from Algeria, Bulgaria, Egypt, and Vietnam are being, or are likely to be, sold in the United States at less than fair value (LTFV) within the meaning of section 731 of the Act, and that imports of such products are materially injuring, or threatening material injury to, the rebar industry in the United States. Consistent with section 732(b)(1) of the Act, the Petitions were accompanied by information reasonably available to the petitioner supporting its allegations.

Commerce finds that the petitioner filed the Petitions on behalf of the domestic industry, because the petitioner and its individual members are interested parties, as defined in sections 771(9)(C) and (F) of the Act. Commerce also finds that the petitioner demonstrated sufficient industry support for the initiation of the requested LTFV investigations.[5]

Periods of Investigations (POI)

Because the Petitions were filed on June 4, 2025, pursuant to 19 CFR 351.204(b)(1), the period of investigation (POI) for the Algeria, Bulgaria, and Egypt LTFV investigations is April 1, 2024, through March 31, 2025. Because Vietnam is a non-market economy (NME) country, pursuant to 19 CFR 351.204(b)(1), the POI for the Vietnam LTFV investigation is October 1, 2024, through March 31, 2025.

Scope of the Investigations

The product covered by these investigations is rebar from Algeria, Bulgaria, Egypt, and Vietnam. For a full description of the scope of these investigations, *see* the appendix to this notice.

Comments on the Scope of the Investigations

On June 20, 2025, Commerce requested information and clarification from the petitioner regarding the proposed scope to ensure that the scope language in the Petitions is an accurate reflection of the products for which the domestic industry is seeking relief.[6] On June 23, 2025, the petitioner provided clarifications.[7] The description of merchandise covered by these investigations, as described in the appendix to this notice, reflects these clarifications.

As discussed in the *Preamble* to Commerce's regulations, we are setting aside a period for interested parties to raise issues regarding product coverage (*i.e.,* scope).[8] Commerce will consider all scope comments received from interested parties and, if necessary, will consult with interested parties prior to the issuance of the preliminary determinations. If scope comments

[1] *See* Petitioner's Letter, ''Petitions for the Imposition of Antidumping and Countervailing Duties,'' dated June 4, 2025 (Petitions). The individual members of the Rebar Trade Action Coalition are Byer Steel Corporation, Commercial Metals Company, Gerdau Ameristeel U.S. Inc., Nucor Corporation, Optimus Steel, and Steel Dynamics, Inc.

[2] *Id.*

[3] *See* Commerce's Letters, ''Supplemental Questions,'' dated June 9, 2025 (First General Issues Questionnaire) and First Country-Specific Supplemental Questionnaires: Algeria Supplemental, Bulgaria Supplemental, Egypt Supplemental, and Vietnam Supplemental, dated June 10, 2025; *see also* Memorandum, ''Teleconference with Counsel to the Petitioner,'' dated June 20, 2025 (June 20, 2025, Memorandum); and Country-Specific Memoranda, ''Teleconference with Counsel to the Petitioner,'' dated June 20, 2025.

[4] *See* Petitioner's Letters, ''Petitioner's Response to the 1st Supplemental Questionnaire Regarding Common Issues and Injury Volume I of the Petition,'' dated June 11, 2025 (First General Issues Supplement); ''First Country-Specific AD Supplemental Responses: First Angola AD Supplement,'' ''First Algeria AD Supplement,'' ''First Egypt AD Supplement,'' and ''First Vietnam AD Supplement,'' dated June 12, 2025; ''Petitioner's Response to the 2nd Supplemental Questionnaire Regarding Common Issues and Injury Volume I of the Petition,'' dated June 23, 2025 (Second General Issues Supplement); and ''Second Country-Specific AD Supplemental Responses: Second Angola AD Supplement,'' ''Second Algeria AD Supplement,'' ''Second Egypt AD Supplement,'' and ''Second Vietnam AD Supplement,'' dated June 23, 2025.

[5] *See* section on ''Determination of Industry Support for the Petitions,'' *infra.*

[6] *See* June 20, 2025, Memorandum.

[7] *See* Second General Issues Supplement at 1–2.

[8] *See Antidumping Duties; Countervailing Duties, Final Rule,* 62 FR 27296, 27323 (June 19, 1997) (*Preamble*); *see also* 19 CFR 351.312.

include factual information,[9] all such factual information should be limited to public information. Commerce requests that interested parties provide at the beginning of their scope comments a public executive summary for each comment or issue raised in their submission. Commerce further requests that interested parties limit their public executive summary of each comment or issue to no more than 450 words, not including citations. Commerce intends to use the public executive summaries as the basis of the comment summaries included in the analysis of scope comments. To facilitate preparation of its questionnaires, Commerce requests that scope comments be submitted by 5:00 p.m. Eastern Time (ET) on July 14, 2025, which is 20 calendar days from the signature date of this notice. Any rebuttal comments, which may include factual information, and should also be limited to public information, must be filed by 5:00 p.m. ET on July 24, 2025, which is 10 calendar days from the initial comment deadline.

Commerce requests that any factual information that parties consider relevant to the scope of these investigations be submitted during that period. However, if a party subsequently finds that additional factual information pertaining to the scope of the investigations may be relevant, the party must contact Commerce and request permission to submit the additional information. All scope comments must be filed simultaneously on the records of the concurrent LTFV and CVD investigations.

Filing Requirements

All submissions to Commerce must be filed electronically via Enforcement and Compliance's Antidumping Duty and Countervailing Duty Centralized Electronic Service System (ACCESS), unless an exception applies.[10] An electronically filed document must be received successfully in its entirety by the time and date it is due.

Comments on Product Characteristics

Commerce is providing interested parties an opportunity to comment on the appropriate physical characteristics of rebar to be reported in response to Commerce's AD questionnaires. This information will be used to identify the key physical characteristics of the subject merchandise in order to report the relevant factors of production (FOP) or cost of production (COP) accurately, as well as to develop appropriate product comparison criteria.

Interested parties may provide any information or comments that they feel are relevant to the development of an accurate list of physical characteristics. Specifically, they may provide comments as to which characteristics are appropriate to use as: (1) general product characteristics; and (2) product comparison criteria. We note that it is not always appropriate to use all product characteristics as product comparison criteria. We base product comparison criteria on meaningful commercial differences among products. In other words, although there may be some physical product characteristics utilized by manufacturers to describe rebar, it may be that only a select few product characteristics take into account commercially meaningful physical characteristics. In addition, interested parties may comment on the order in which the physical characteristics should be used in matching products. Generally, Commerce attempts to list the most important physical characteristics first and the least important characteristics last.

In order to consider the suggestions of interested parties in developing and issuing the AD questionnaires, all product characteristics comments must be filed by 5:00 p.m. ET on July 14, 2025, which is 20 calendar days from the signature date of this notice. Any rebuttal comments must be filed by 5:00 p.m. ET on July 24, 2025, which is 10 calendar days from the initial comment deadline. All comments and submissions to Commerce must be filed electronically using ACCESS, as explained above, on the record of the each of the LTFV investigations.

Determination of Industry Support for the Petitions

Section 732(b)(1) of the Act requires that a petition be filed on behalf of the domestic industry. Section 732(c)(4)(A) of the Act provides that a petition meets this requirement if the domestic producers or workers who support the petition account for: (i) at least 25 percent of the total production of the domestic like product; and (ii) more than 50 percent of the production of the domestic like product produced by that portion of the industry expressing support for, or opposition to, the petition. Moreover, section 732(c)(4)(D) of the Act provides that, if the petition does not establish support of domestic producers or workers accounting for more than 50 percent of the total production of the domestic like product, Commerce shall: (i) poll the industry or rely on other information in order to determine if there is support for the petition, as required by subparagraph (A); or (ii) determine industry support using a statistically valid sampling method to poll the ''industry.''

Section 771(4)(A) of the Act defines the ''industry'' as the producers as a whole of a domestic like product. Thus, to determine whether a petition has the requisite industry support, the statute directs Commerce to look to producers and workers who produce the domestic like product. The U.S. International Trade Commission (ITC), which is responsible for determining whether ''the domestic industry'' has been injured, must also determine what constitutes a domestic like product in order to define the industry. While both Commerce and the ITC must apply the same statutory definition regarding the domestic like product,[11] they do so for different purposes and pursuant to a separate and distinct authority. In addition, Commerce's determination is subject to limitations of time and information. Although this may result in different definitions of the like product, such differences do not render the decision of either agency contrary to law.[12]

Section 771(10) of the Act defines the domestic like product as ''a product which is like, or in the absence of like, most similar in characteristics and uses with, the article subject to an investigation under this title.'' Thus, the reference point from which the domestic like product analysis begins is ''the article subject to an investigation'' (*i.e.,* the class or kind of merchandise to be investigated, which normally will be the scope as defined in the petition).

With regard to the domestic like product, the petitioner does not offer a definition of the domestic like product distinct from the scope of the investigations.[13] Based on our analysis

[9] *See* 19 CFR 351.102(b)(21) (defining ''factual information'').

[10] *See Antidumping and Countervailing Duty Proceedings: Electronic Filing Procedures; Administrative Protective Order Procedures,* 76 FR 39263 (July 6, 2011); *see also Enforcement and Compliance: Change of Electronic Filing System Name,* 79 FR 69046 (November 20, 2014) for details of Commerce's electronic filing requirements, effective August 5, 2011. Information on using ACCESS can be found at *https://access.trade.gov/help.aspx* and a handbook can be found at *https://access.trade.gov/help/Handbook_on_Electronic_Filing_Procedures.pdf.*

[11] *See* section 771(10) of the Act.

[12] *See USEC, Inc.* v. *United States,* 132 F. Supp. 2d 1, 8 (CIT 2001) (citing *Algoma Steel Corp., Ltd.* v. *United States,* 688 F. Supp. 639, 644 (CIT 1988), *aff'd* 865 F.2d 240 (Fed. Cir. 1989)).

[13] For a discussion of the domestic like product analysis as applied to these cases and information regarding industry support, *see* Checklists, ''Antidumping Duty Investigation Initiation Checklists: Steel Concrete Reinforcing Bar from Algeria, Bulgaria, Egypt, and the Socialist Republic of Vietnam,'' dated concurrently with, and hereby adopted by, this notice (Country-Specific AD

Continued

of the information submitted on the record, we have determined that rebar, as defined in the scope, constitutes a single domestic like product, and we have analyzed industry support in terms of that domestic like product.[14]

In determining whether the petitioner has standing under section 732(c)(4)(A) of the Act, we considered the industry support data contained in the Petitions with reference to the domestic like product as defined in the ''Scope of the Investigations,'' in the appendix to this notice. To establish industry support, the petitioner provided the 2024 production of the domestic like product for the U.S. producers that support the Petitions and compared this to total production of the domestic like product by the U.S. rebar industry.[15] We relied on data provided by the petitioner for purposes of measuring industry support.[16]

Our review of the data provided in the Petitions, the First General Issues Supplement, and other information readily available to Commerce indicates that the petitioner has established industry support for the Petitions.[17] First, the Petitions established support from domestic producers (or workers) accounting for more than 50 percent of the total production of the domestic like product and, as such, Commerce is not required to take further action in order to evaluate industry support (*e.g.,* polling).[18] Second, the domestic producers (or workers) have met the statutory criteria for industry support under section 732(c)(4)(A)(i) of the Act because the domestic producers (or workers) who support the Petitions account for at least 25 percent of the total production of the domestic like product.[19] Finally, the domestic producers (or workers) have met the statutory criteria for industry support under section 732(c)(4)(A)(ii) of the Act because the domestic producers (or workers) who support the Petitions account for more than 50 percent of the production of the domestic like product produced by that portion of the industry expressing support for, or opposition to, the Petitions.[20] Accordingly, Commerce determines that the Petitions were filed on behalf of the domestic industry within the meaning of section 732(b)(1) of the Act.[21]

Allegations and Evidence of Material Injury and Causation

The petitioner alleges that the U.S. industry producing the domestic like product is being materially injured, or is threatened with material injury, by reason of the imports of the subject merchandise sold at LTFV. In addition, the petitioner alleges that subject imports from Algeria, Bulgaria, Egypt, and Vietnam individually exceed the negligibility threshold provided for under section 771(24)(A) of the Act.[22]

The petitioner contends that the industry's injured condition is illustrated by the significant volume of subject imports; reduced market share; underselling and price depression and/or suppression; lost sales and revenues; and declines in the domestic industry's production, capacity utilization, shipment values, and financial performance.[23] We assessed the allegations and supporting evidence regarding material injury, threat of material injury, causation, cumulation, as well as negligibility, and we have determined that these allegations are properly supported by adequate evidence, and meet the statutory requirements for initiation.[24]

Allegations of Sales at LTFV

The following is a description of the allegations of sales at LTFV upon which Commerce based its decision to initiate LTFV investigations of imports of rebar from Algeria, Bulgaria Egypt, and Vietnam. The sources of data for the deductions and adjustments relating to U.S. price and normal value (NV) are discussed in greater detail in the Country-Specific AD Initiation Checklists.

U.S. Price

For Algeria, the petitioner based export price (EP) on the POI average unit value (AUV) derived from official import statistics for imports of rebar from Algeria.[25] For Bulgaria, Egypt, and Vietnam, the petitioner based EP on transaction-specific AUVs (*i.e.,* month- and port-specific AUVs) derived from official import statistics and tied to ship manifest data.[26] For each country, the petitioner made certain adjustments to U.S. price to calculate a net ex-factory U.S. price, where applicable.[27]

Normal Value[28]

For Algeria, Bulgaria, and Egypt, the petitioner stated that it was unable to obtain home market or third-country pricing information for rebar produced in the respective countries to use as a basis for NV.[29] Therefore, for Algeria, Bulgaria, and Egypt, the petitioner calculated NV based on CV. For further discussion of CV, *see* the section ''Normal Value Based on Constructed Value.''

Commerce considers Vietnam to be an NME country.[30] In accordance with section 771(18)(C)(i) of the Act, any determination that a foreign country is an NME country shall remain in effect until revoked by Commerce. Therefore, we continue to treat Vietnam as an NME country for purposes of the initiation of the LTFV investigation. Accordingly, we base NV on FOPs valued in a surrogate market economy country in accordance with section 773(c) of the Act.

The petitioner claims that Egypt is an appropriate surrogate country for Vietnam because it is a market economy that is at a level of economic development comparable to that of Vietnam and is a significant producer of comparable merchandise.[31] The petitioner provided publicly available information from Egypt to value all FOPs.[32] Based on the information provided by the petitioner, we believe it is appropriate to use Egypt as a surrogate country for Vietnam to value all FOPs for initiation purposes.

Interested parties will have the opportunity to submit comments regarding surrogate country selection and, pursuant to 19 CFR 351.301(c)(3)(i), will be provided an opportunity to submit publicly available

Initiation Checklists), at Attachment II, Analysis of Industry Support for the Antidumping and Countervailing Duty Petitions Covering Steel Concrete Reinforcing Bar from Algeria, Bulgaria, Egypt, and the Socialist Republic of Vietnam (Attachment II). These checklists are on file electronically via ACCESS.

[14] For further discussion, *see* Attachment II of the Country-Specific AD Initiation Checklists.

[15] *Id.*

[16] *Id.*

[17] *Id.*

[18] *Id.; see also* section 732(c)(4)(D) of the Act.

[19] *See* Attachment II of the Country-Specific AD Initiation Checklists.

[20] *Id.*

[21] *Id.*

[22] For further discussion, *see* Country-Specific AD Initiation Checklists at Attachment III, Analysis of Allegations and Evidence of Material Injury and Causation for the Antidumping and Countervailing Duty Petitions Covering Steel Concrete Reinforcing Bar from Algeria, Bulgaria, Egypt, and the Socialist Republic of Vietnam (Attachment III).

[23] *See* Attachment III of the Country-Specific AD Initiation Checklists.

[24] *Id.*

[25] *See* Algeria AD Initiation Checklist.

[26] *See* Country-Specific AD Initiation Checklists.

[27] *Id.*

[28] In accordance with section 773(b)(2) of the Act, for the Algeria, Bulgaria, and Egypt investigations, Commerce will request information necessary to calculate the constructed value (CV) and COP to determine whether there are reasonable grounds to believe or suspect that sales of the foreign like product have been made at prices that represent less than the COP of the product.

[29] *See* Country-Specific AD Initiation Checklists.

[30] *See, e.g., Raw Honey from the Socialist Republic of Vietnam: Final Results of Antidumping Duty Changed Circumstances Review,* 89 FR 64411 (August 7, 2024), and accompanying NME Analysis Memorandum at 5.

[31] *See* Vietnam AD Initiation Checklist.

[32] *Id.*

information to value FOPs within 30 days before the scheduled date of the preliminary determination.

Factors of Production

Because information regarding the volume of inputs consumed by Vietnamese producers/exporters was not reasonably available, under the NME methodology, the petitioner used the production experience and product-specific consumption rates of a U.S. producer of rebar as a surrogate to value Vietnamese manufacturers' FOPs.[33] Additionally, the petitioner calculated factory overhead, selling, general, and administrative expenses (SG&A), and profit based on the experience of an Egyptian producer of identical merchandise.[34]

Normal Value Based on Constructed Value

As noted above for Algeria, Bulgaria, and Egypt, the petitioner stated that it was unable to obtain home market or third-country prices for rebar to use as a basis for NV. Therefore, for Algeria, Bulgaria, and Egypt, the petitioner calculated NV based on CV.[35]

Pursuant to section 773(e) of the Act, the petitioner calculated CV as the sum of the cost of manufacturing, SG&A expenses, financial expenses, and profit.[36] In calculating the cost of manufacturing, the petitioner relied on the production experience and input consumption rates of a U.S. producer of rebar, valued using publicly available information applicable to Algeria, Bulgaria, and Egypt, where applicable.[37] For calculating SG&A expenses, financial expenses, and profit ratios, the petitioner relied on the financial statements of a producer of identical merchandise domiciled in the respective countries.[38]

Fair Value Comparisons

Based on the data provided by the petitioner, there is reason to believe that imports of rebar from Algeria, Bulgaria, Egypt, and Vietnam are being, or are likely to be, sold in the United States at LTFV. Based on comparisons of EP to NV in accordance with sections 772 and 773 of the Act, the estimated dumping margins for rebar for each of the countries covered by this initiation are as follows: (1) Algeria—127.32 percent; (2) Bulgaria—27.79 percent; (3) Egypt—110.87 to 128.98 percent; and (4) Vietnam—117.61 percent.[39]

Initiation of LTFV Investigations

Based upon the examination of the Petitions and supplemental responses, we find that they meet the requirements of section 732 of the Act. Therefore, we are initiating LTFV investigations to determine whether imports of rebar from Algeria, Bulgaria, Egypt, and Vietnam are being, or are likely to be, sold in the United States at LTFV. In accordance with section 733(b)(1)(A) of the Act and 19 CFR 351.205(b)(1), unless postponed, we will make our preliminary determinations no later than 140 days after the date of these initiations.

Respondent Selection

Algeria, Bulgaria, and Egypt

In the Petitions, the petitioner identified four companies in Algeria, seven companies in Bulgaria, and 13 companies in Egypt as producers and/or exporters of rebar.[40]

Following standard practice in LTFV investigations involving market economy countries, in the event Commerce determines that the number of companies is large, and it cannot individually examine each company based upon Commerce's resource, where appropriate, Commerce intends to select mandatory respondents based on U.S. Customs and Border Protection (CBP) data for imports under the appropriate Harmonized Tariff Schedule of the United States (HTSUS) subheading(s) listed in the ''Scope of the Investigations,'' in the appendix.

On June 23, 2025, Commerce released CBP data on imports of rebar from Algeria, Bulgaria, and Egypt under administrative protective order (APO) to all parties with access to information protected by APO and indicated that interested parties wishing to comment on CBP data and/or respondent selection must do so within three business days of the publication date of the notice of initiation of these investigations.[41] Comments must be filed electronically using ACCESS. An electronically filed document must be received successfully in its entirety via ACCESS by 5:00 p.m. ET on the specified deadline. Commerce will not accept rebuttal comments regarding the CBP data or respondent selection.

Interested parties must submit applications for disclosure under APO in accordance with 19 CFR 351.305(b). Instructions for filing such applications may be found on Commerce's website at *https://www.trade.gov/administrative-protective-orders.*

Vietnam

In the Petitions, the petitioner identified 10 companies in Vietnam as producers/exporters of rebar.[42] Our standard practice for respondent selection in AD investigations involving NME countries is to select respondents based on quantity and value (Q&V) questionnaires in cases where Commerce has determined that the number of companies is large, and it cannot individually examine each company based upon its resources. Therefore, considering the number of producers and/or exporters identified in the Petition, Commerce will solicit Q&V information that can serve as a basis for selecting exporters for individual examination in the event that Commerce determines that the number is large and decides to limit the number of respondents individually examined pursuant to section 777A(c)(2) of the Act. Because there are 10 Vietnamese producers and/or exporters identified in the Petitions, Commerce has determined that it will issue Q&V questionnaires to each potential respondent for which there is complete address information on the record.

Commerce will post the Q&V questionnaires along with filing instructions on Commerce's website at *https://www.trade.gov/ec-adcvd-case-announcements.* Producers/exporters of rebar in Vietnam that do not receive Q&V questionnaires may still submit a response to the Q&V questionnaire and can obtain a copy of the Q&V questionnaire from Commerce's website. Responses to the Q&V questionnaire must be submitted by the relevant Vietnamese producers/exporters no later than 5:00 p.m. ET on July 8, 2025, which is two weeks from the signature date of this notice. All Q&V questionnaire responses must be filed electronically via ACCESS. An electronically filed document must be received successfully, in its entirety, by ACCESS no later than 5:00 p.m. ET on the deadline noted above. Interested parties must submit applications for disclosure under administrative protective order (APO) in accordance with 19 CFR 351.305(b). As stated above, instructions for filing such applications may be found on

[33] *Id.*

[34] *Id.*

[35] *See* Country-Specific AD Initiation Checklists.

[36] *Id.*

[37] *Id.*

[38] *Id.*

[39] *Id.*

[40] *See* Petitions at Volume I (page 17 and Exhibit I–10); *see also* First General Issues Supplement at 1.

[41] *See* Country-Specific Memoranda, ''Release of U.S. Customs and Border Protection Entry Data,'' dated June 23, 2025.

[42] *See* Petitions at Volume I (page 17 and Exhibit I–10).

Commerce's website at *https://www.trade.gov/administrative-protective-orders.*

Separate Rates

In order to obtain separate rate status in an NME investigation, exporters and producers must submit a separate rate application. The specific requirements for submitting a separate rate application in an NME investigation are outlined in detail in the application itself, which is available on Commerce's website at *https://access.trade.gov/Resources/nme/nme-sep-rate.html.* Note that Commerce recently promulgated new regulations pertaining to separate rates, including the separate rate application deadline and eligibility for separate rate status, in 19 CFR 351.108.[43] Pursuant to 19 CFR 351.108(d)(1), the separate rate application will be due 21 days after publication of this initiation notice.[44] Exporters and producers must file a timely separate rate application if they want to be considered for individual examination. In addition, pursuant to 19 CFR 351.108(e), exporters and producers who submit a separate rate application and have been selected as mandatory respondents will be eligible for consideration for separate rate status only if they fully respond to all parts of Commerce's AD questionnaire and participate in the LTFV proceeding as mandatory respondents.[45] Commerce requires that companies from Vietnam submit a response both to the Q&V questionnaire and to the separate rate application by the respective deadlines to receive consideration for separate rate status. Companies not filing a timely Q&V questionnaire response will not receive separate rate consideration.

Use of Combination Rates

Upon applying an NME methodology, Commerce will calculate combination rates for certain respondents that are eligible for a separate rate in an NME investigation. The Separate Rates and Combination Rates Bulletin states:

> {w}hile continuing the practice of assigning separate rates only to exporters, all separate rates that {Commerce} will now assign in its NME investigation will be specific to those producers that supplied the exporter during the period of investigation. Note, however, that one rate is calculated for the exporter and all of the producers which supplied subject merchandise to it during the period of investigation. This practice applies both to mandatory respondents receiving an individually calculated separate rate as well as the pool of non-investigated firms receiving the {weighted average} of the individually calculated rates. This practice is referred to as the application of ''combination rates'' because such rates apply to specific combinations of exporters and one or more producers. The cash-deposit rate assigned to an exporter will apply only to merchandise both exported by the firm in question *and* produced by a firm that supplied the exporter during the period of investigation.[46]

Distribution of Copies of the Petitions

In accordance with section 732(b)(3)(A) of the Act and 19 CFR 351.202(f), a copy of the public version of the Petitions has been provided to the governments of Algeria, Bulgaria, Egypt, and Vietnam via ACCESS. To the extent practicable, we will attempt to provide a copy of the public version of the Petitions to each exporter named in the Petitions, as provided under 19 CFR 351.203(c)(2).

ITC Notification

Commerce will notify the ITC of our initiation, as required by section 732(d) of the Act.

Preliminary Determinations by the ITC

The ITC will preliminarily determine, within 45 days after the date on which the Petitions were filed, whether there is a reasonable indication that imports of rebar from Algeria, Bulgaria, Egypt, and/or Vietnam are materially injuring, or threatening material injury to, a U.S. industry.[47] A negative ITC determination for any country will result in the investigation being terminated with respect to that country.[48] Otherwise, these LTFV investigations will proceed according to statutory and regulatory time limits.

Submission of Factual Information

Factual information is defined in 19 CFR 351.102(b)(21) as: (i) evidence submitted in response to questionnaires; (ii) evidence submitted in support of allegations; (iii) publicly available information to value factors under 19 CFR 351.408(c) or to measure the adequacy of remuneration under 19 CFR 351.511(a)(2); (iv) evidence placed on the record by Commerce; and (v) evidence other than factual information described in (i)–(iv). Section 351.301(b) of Commerce's regulations requires any party, when submitting factual information, to specify under which subsection of 19 CFR 351.102(b)(21) the information is being submitted [49] and, if the information is submitted to rebut, clarify, or correct factual information already on the record, to provide an explanation identifying the information already on the record that the factual information seeks to rebut, clarify, or correct.[50] Time limits for the submission of factual information are addressed in 19 CFR 351.301, which provides specific time limits based on the type of factual information being submitted. Interested parties should review the regulations prior to submitting factual information in these investigations.

Particular Market Situation Allegation

Section 773(e) of the Act addresses the concept of particular market situation (PMS) for purposes of CV, stating that ''if a particular market situation exists such that the cost of materials and fabrication or other processing of any kind does not accurately reflect the cost of production in the ordinary course of trade, the administering authority may use another calculation methodology under this subtitle or any other calculation methodology.'' When an interested party submits a PMS allegation pursuant to section 773(e) of the Act (*i.e.,* a cost-based PMS allegation), the submission must be filed in accordance with the requirements of 19 CFR 351.416(b), and Commerce will respond to such a submission consistent with 19 CFR 351.301(c)(2)(v). If Commerce finds that a cost-based PMS exists under section 773(e) of the Act, then it will modify its dumping calculations appropriately.

Neither section 773(e) of the Act, nor 19 CFR 351.301(c)(2)(v), sets a deadline for the submission of cost-based PMS allegations and supporting factual information. However, in order to administer section 773(e) of the Act, Commerce must receive PMS allegations and supporting factual information with enough time to consider the submission. Thus, should an interested party wish to submit a cost-based PMS allegation and supporting new factual information pursuant to section 773(e) of the Act, it must do so no later than 20 days after submission of a respondent's initial section D questionnaire response.

We note that a PMS allegation filed pursuant to sections 773(a)(1)(B)(ii)(III) or 773(a)(1)(C)(iii) of the Act (*i.e.,* a sales-based PMS allegation) must be filed within 10 days of submission of a

[43] *See Regulations Enhancing the Administration of the Antidumping and Countervailing Duty Trade Remedy Laws,* 89 FR 101694, 101759–60 (December 16, 2024).

[44] *See* 19 CFR 351.108(d)(1).

[45] *See* 19 CFR 351.108(e).

[46] *See* Enforcement and Compliance's Policy Bulletin No. 05.1, regarding, ''Separate-Rates Practice and Application of Combination Rates in Antidumping Investigation involving NME Countries,'' (April 5, 2005), at 6 (emphasis added), available on Commerce's website at *https://access.trade.gov/Resources/policy/bull05-1.pdf.*

[47] *See* section 733(a) of the Act.

[48] *Id.*

[49] *See* 19 CFR 351.301(b).

[50] *See* 19 CFR 351.301(b)(2).

respondent's initial section B questionnaire response, in accordance with 19 CFR 351.301(c)(2)(i) and 19 CFR 351.404(c)(2).

Extensions of Time Limits

Parties may request an extension of time limits before the expiration of a time limit established under 19 CFR 351.301, or as otherwise specified by Commerce. In general, an extension request will be considered untimely if it is filed after the expiration of the time limit established under 19 CFR 351.301, or as otherwise specified by Commerce.[51] For submissions that are due from multiple parties simultaneously, an extension request will be considered untimely if it is filed after 10:00 a.m. ET on the due date. Under certain circumstances, Commerce may elect to specify a different time limit by which extension requests will be considered untimely for submissions which are due from multiple parties simultaneously. In such a case, we will inform parties in a letter or memorandum of the deadline (including a specified time) by which extension requests must be filed to be considered timely. An extension request must be made in a separate, standalone submission; under limited circumstances we will grant untimely filed requests for the extension of time limits, where we determine, based on 19 CFR 351.302, that extraordinary circumstances exist. Parties should review Commerce's regulations concerning the extension of time limits and the *Time Limits Final Rule* prior to submitting factual information in these investigations.[52]

Certification Requirements

Any party submitting factual information in an AD or CVD proceeding must certify to the accuracy and completeness of that information.[53] Parties must use the certification formats provided in 19 CFR 351.303(g).[54] Commerce intends to reject factual submissions if the submitting party does not comply with the applicable certification requirements.

Notification to Interested Parties

Interested parties must submit applications for disclosure under APO in accordance with 19 CFR 351.305. Parties wishing to participate in these investigations should ensure that they meet the requirements of 19 CFR 351.103(d) (*e.g.,* by filing the required letter of appearance). Note that Commerce has amended certain of its requirements pertaining to the service of documents in 19 CFR 351.303(f).[55]

This notice is issued and published pursuant to sections 732(c)(2) and 777(i) of the Act, and 19 CFR 351.203(c).

Dated: June 24, 2025.

Abdelali Elouaradia,

Deputy Assistant Secretary for Enforcement and Compliance.

Appendix

Scope of the Investigations

The merchandise subject to these investigations is steel concrete reinforcing bar imported in either straight length or coil form (rebar) regardless of metallurgy, length, diameter, or grade or lack thereof.

The subject merchandise includes rebar that has been further processed in the subject countries or a third country, including but not limited to cutting, grinding, galvanizing, painting, coating, or any other processing that would not otherwise remove the merchandise from the scope of these investigations if performed in the country of manufacture of the rebar.

Specifically excluded are plain rounds (*i.e.,* nondeformed or smooth rebar).

The subject merchandise is classifiable in the Harmonized Tariff Schedule of the United States (HTSUS) primarily under item numbers 7213.10.0000, 7214.20.0000, and 7228.30.8010. The subject merchandise may also enter under other HTSUS numbers including 7221.00.0017, 7221.00.0018, 7221.00.0030, 7221.00.0045, 7222.11.0001, 7222.11.0057, 7222.11.0059, 7222.30.0001, 7227.20.0080, 7227.90.6030, 7227.90.6035, 7227.90.6040, 7228.20.1000, and 7228.60.6000. HTSUS numbers are provided for convenience and customs purposes; however, the written description of the scope remains dispositive.

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BILLING CODE 3510–DS–P

[51] *See* 19 CFR 351.301; *see also Extension of Time Limits; Final Rule,* 78 FR 57790 (September 20, 2013) (*Time Limits Final Rule*), available at *https://www.gpo.gov/fdsys/pkg/FR-2013-09-20/html/2013-22853.htm.*

[52] *See* 19 CFR 351.302; *see also, e.g., Time Limits Final Rule.*

[53] *See* section 782(b) of the Act.

[54] *See Certification of Factual Information to Import Administration During Antidumping and Countervailing Duty Proceedings,* 78 FR 42678 (July 17, 2013) (*Final Rule*). Additional information regarding the *Final Rule* is available at *https://access.trade.gov/Resources/filing/index.html.*

[55] *See Administrative Protective Order, Service, and Other Procedures in Antidumping and Countervailing Duty Proceedings,* 88 FR 67069 (September 29, 2023).

DEPARTMENT OF COMMERCE

International Trade Administration

[Docket No. 250625–0113: RTID 0625–XC056]

Imports of Automobiles, Automobile Parts, Civil Aircraft and Civil Aircraft Parts From the United Kingdom Under Executive Order 14309

AGENCY: International Trade Administration, U.S. Department of Commerce.

ACTION: Notice.

SUMMARY: Executive Order 14309 of June 16, 2025 (Implementing the General Terms of the United States of America-United Kingdom Economic Prosperity Deal) (Executive Order 14309) establishes a tariff rate quota on automobiles that are products of the United Kingdom (UK), provides for preferential tariff treatment for automobile parts that are products of the UK and for use in UK automobiles, and removes certain tariffs from products of the UK that fall under the World Trade Organization Agreement on Trade in Civil Aircraft. Executive Order 14309 provides that the Secretary of Commerce, in consultation with the United States International Trade Commission (ITC) and U.S. Customs and Border Protection (CBP) is to publish a notice in the **Federal Register** to modify the Harmonized Tariff Schedule of the United States (HTSUS) to conform with that treatment.

DATES: The changes in the HTSUS are effective June 30, 2025.

FOR FURTHER INFORMATION CONTACT: Emily Davis, Director for Public Affairs, International Trade Administration, U.S. Department of Commerce, 202–482–3809, *Emily.Davis@trade.gov.*

SUPPLEMENTARY INFORMATION:

I. Background

On May 8, 2025, President Donald Trump and United Kingdom Prime Minister Keir Starmer announced the General Terms for the United States of America and the United Kingdom of Great Britain and Northern Ireland Economic Prosperity Deal (General Terms). The General Terms outline a historic trade deal that provides American companies unprecedented access to British markets while bolstering the national security and economy of the United States. The deal includes billions of dollars of increased market access for American exports, especially for beef, ethanol, and certain other American agricultural exports. In addition, the United Kingdom will

reduce or eliminate numerous non-tariff barriers that unfairly discriminate against American products, hurt the United States' manufacturing base, and threaten the national security of the United States.

The General Terms provide, among other things, that the United States intends to create an annual quota of 100,000 vehicles for United Kingdom automobile imports at a combined 10 percent tariff rate. In the General Terms, the United States and the United Kingdom committed to adopt a structured, negotiated approach to addressing United States national security concerns regarding sectors that may be subject to future investigations under Section 232 of the Trade Expansion Act of 1962, as amended (19 U.S.C. 1862). To that end, the United States and the United Kingdom further committed to strengthen aerospace and aircraft manufacturing supply chains by establishing tariff-free bilateral trade in certain aerospace products.

On June 16, 2025, President Trump issued Executive Order 14309, which established an annual tariff-rate quota of 100,000 automobiles that are classified in heading 8703 of the HTSUS as further specified in note 33(b) to subchapter III of chapter 99 of the HTSUS for automobiles that are products of the United Kingdom (90 FR 26419). Imports of automobiles within the tariff-rate quota that would otherwise be subject to a 25 percent tariff under Proclamation 10908 of March 26, 2025 (Adjusting Imports of Automobile and Automobile Parts Into the United States) (90 FR 14705) are instead to be subject to a 7.5 percent tariff, in addition to the most-favored-nation rate for automobiles of 2.5 percent, for a combined rate of 10 percent. Imports in excess of the tariff-rate quota quantity remain subject to the full duties imposed by Proclamation 10908.

Executive Order 14309 also provides that as of the date of publication of this **Federal Register** notice, automobile parts specified in note 33(g) to subchapter III of chapter 99 of the HTSUS that would otherwise be subject to a 25 percent tariff under Proclamation 10908, are instead to be subject to a total tariff of 10 percent, including any most-favored-nation tariff, provided that they are the products of the United Kingdom and that they are for use in automobiles that are products of the United Kingdom. The tariff headings listed in Annex 1.B identify the automobile parts that otherwise would be subject to a 25 percent tariff under Proclamation 10908 that are for use in UK-automobiles that are products of the UK.

Executive Order 14309 also provides that as of the date of publication of this **Federal Register** Notice products of the United Kingdom that fall under the World Trade Organization Agreement on Trade in Civil Aircraft are no longer subject to tariffs imposed under specified Presidential actions (Executive Order 14257 of April 2, 2025 (Regulating Imports With a Reciprocal Tariff To Rectify Trade Practices That Contribute to Large and Persistent Annual United States Goods Trade Deficits), as amended; Proclamation 9704 of March 8, 2018 (Adjusting Imports of Aluminum Into the United States), as amended; and Proclamation 9705 of March 8, 2018 (Adjusting Imports of Steel Into the United States), as amended).

Executive Order 14309 provides that the Secretary of Commerce, in consultation with CBP and the USITC, is to revise the HTSUS so that it conforms to the changes specified in that Order and announce such revisions in the **Federal Register**. Accordingly, the HTSUS is modified as provided for in Annex I to this Notice.

Trevor Kellogg,

Performing the Non-Exclusive Functions and Duties of the Under Secretary for International Trade, Chief of Staff and Senior Advisor, Office of the Under Secretary, International Trade Administration, Commerce Department.

Annex I

A. Effective with respect to goods entered for consumption, or withdrawn from warehouse for consumption, on or after 12:01 a.m. eastern time on June 30, 2025:

a. U.S. note 33 to subchapter III of chapter 99 of the Harmonized Tariff Schedule of the United States (HTSUS) is modified by adding in the following subdivision (i):

''(i) Heading 9903.94.31 sets forth the ordinary customs duty treatment for certain passenger vehicles that are products of the United Kingdom that are classified under the following subheadings of 8703:

8703.22.01
8703.23.01
8703.24.01
8703.31.01
8703.32.01
8703.33.01
8703.40.00
8703.50.00
8703.60.00
8703.70.00
8703.80.00
8703.90.01

The aggregate annual import volume under heading 9903.94.31 for such products of the United Kingdom for calendar year 2025 shall be limited to 65,205 passenger vehicles.

Beginning on January 1, 2026, and annually thereafter, the aggregate annual import volume under heading 9903.94.31 for such products of the United Kingdom shall be limited to 100,000 passenger vehicles per year. No shipments of such passenger vehicles that are products of the United Kingdom shall be allowed to enter in an aggregate quantity under such heading 9903.94.31, during any of the periods January through March, April through June, July through September, or October through December in any 12-month period that is in excess of 25,000 passenger vehicles, except to the extent of any unused quantity carried forward from a prior quarter. U.S. Customs and Border Protection shall carry forward any unused quantity of such passenger vehicles that are products of the United Kingdom from the first quarter of any calendar year to the third quarter of such year, and shall carryforward any unused quantity from the second quarter of any calendar year to the fourth quarter of such year. The 100,000 passenger vehicle per year tariff rate quota shall recommence on January 1 of each year. Articles entered in excess of this quantity are subject to all applicable tariffs.

Any passenger vehicle, except those eligible for admission under ''domestic status'' as defined in 19 CFR 146.43, that is subject to the duty imposed by this subdivision and that is admitted into a United States foreign trade zone on or after the effective date of the quota, must be admitted as ''privileged foreign status'' as defined in 19 CFR 146.41, and will be subject upon entry for consumption to the provisions of the tariff-rate quota in effect at the time of the entry for consumption.

Goods for which entry is claimed under a provision of chapter 98 and which are subject to the additional duties prescribed herein shall be eligible for and subject to the terms of such provision and applicable U.S. Customs and Border Protection (''CBP'') regulations, except that duties under subheading 9802.00.60 shall be assessed based upon the full value of the imported article. No claim for entry or for any duty exemption or reduction shall be allowed for the passenger vehicles enumerated in this subdivision under a provision of chapter 99 that may set forth a lower rate of duty or provide duty-free treatment, taking into account information supplied by CBP, but any additional duty prescribed in any provision of this subchapter or subchapter IV of chapter 99 shall be imposed in addition to the duty in heading 9903.94.31. All antidumping, countervailing, or other duties and charges applicable to such goods shall continue to be imposed in addition to the duty in heading 9903.94.31. Entries of passenger vehicles described in this subdivision (i) shall not be subject to: (1) the additional duties imposed on entries of products of aluminum under heading 9903.85.12; (2) the additional duties imposed on entries of derivative aluminum products under headings 9903.85.13, 9903.85.14, and 9903.85.15; (3) the additional duties imposed on entries of iron or steel products under headings 9903.81.94 and 9903.81.95; and (4) the additional duties imposed on entries of derivative iron or steel products under headings 9903.81.96, 9903.81.97, 9903.81.98 and 9903.81.99.''

b. U.S. note 33(a) to subchapter III of chapter 99 of the HTSUS is modified by:

i. deleting ''Except as provided for in headings 9903.94.02, 9903.94.03, and 9903.94.04,''and inserting ''Except as provided for in headings 9903.94.02, 9903.94.03, 9903.94.04, and 9903.94.31,'' in lieu thereof.

ii. deleting ''No claim for entry or for any duty exemption or reduction shall be allowed'' and inserting ''Except as provided in heading 9903.94.31, no claim for entry or for any duty exemption or reduction shall be allowed'' in lieu thereof.

c. U.S. note 33(b) to subchapter III of chapter 99 of the HTSUS is modified by deleting ''and'' after ''The rates of duty set forth in headings 9903.94.01, 9903.94.02, 9903.94.03,'' and inserting ''and certain entries under 9903.94.31'' after ''9903.94.04''.

d. Heading 9903.94.01 is modified by deleting the article description and inserting ''Except for 9903.94.02, 9903.94.03, 9903.94.04 and 9903.94.31, effective with respect to entries on or after April 3, 2025, passenger vehicles (sedans, sport utility vehicles, crossover utility vehicles, minivans, and cargo vans) and light trucks, as specified in note 33 to this subchapter, as provided for in subdivision (b) of U.S. note 33 to this subchapter.'' in lieu thereof.

e. Subchapter III of chapter 99 of the HTSUS is modified by inserting new headings 9903.94.31 in numerical sequence, with the material in the new heading inserted in the columns of the HTSUS labeled ''Heading/Subheading'', ''Article Description'', ''Rates of Duty 1-General'', ''Rates of Duty 1-Special'' and ''Rates of Duty 2'', respectively:

Heading/ subheading	Article description	Rates of duty		
		1		2
		General	Special	
''9903.94.31	Effective with respect to entries on or after [ ], passenger vehicles that are products of the United Kingdom as specified in subdivision (i) of U.S. note 33 to this subchapter, when entered under the terms of subdivision (i) of U.S. note 33 to this subchapter.	The duty provided in the applicable subheading + 7.5%.	No change	No change.''

B. Effective with respect to goods entered for consumption, or withdrawn from warehouse for consumption, on or after 12:01 a.m. eastern time on June 30, 2025:

a. U.S. note 33 to subchapter III of chapter 99 of the HTSUS is modified by adding in the following subdivisions j:

''(j) Heading 9903.94.32 sets forth the ordinary customs duty treatment for parts of passenger vehicles and light trucks that are products of the United Kingdom classifiable in the following statistical reporting numbers of the HTSUS Annotated:

4009.12.0020; 4009.22.0020; 4009.32.0020; 4009.42.0020; 4011.10.1010; 4011.10.1020 4011.10.1030; 4011.10.1040; 4011.10.1050; 4011.10.1060; 4011.10.1070; 4011.10.5000; 4011.20.1005; 4011.20.1015; 4012.19.8000; 4012.20.6000; 4013.10.0010; 4013.10.0020; 4016.99.6010; 7007.21.5100; 7009.10.0000; 7320.10.3000; 7320.10.6015; 7320.10.6060; 7320.10.9015; 7320.10.9060; 7320.20.1000; 8301.20.0030; 8301.20.0060; 8302.10.3000; 8302.30.3010; 8302.30.3060; 8302.30.6000; 8407.31.0080; 8407.32.2040; 8407.32.2080; 8407.32.9040; 8407.32.9080; 8407.33.3040; 8407.33.3080; 8407.33.6040; 8407.33.6080; 8407.33.9040; 8407.33.9080; 8407.34.0530 8407.34.0560; 8407.34.0590; 8407.34.1400; 8407.34.1800; 8407.34.2500; 8407.34.3530; 8407.34.3590; 8407.34.4400; 8407.34.4800; 8407.34.5500; 8408.20.2000; 8409.91.1040; 8409.99.1040; 8413.30.1000; 8413.30.9030; 8413.30.9060; 8413.30.9090; 8413.91.1000 8413.91.9010; 8414.30.8030; 8414.59.3000; 8414.59.6540; 8414.80.0500; 8415.20.0000; 8421.23.0000; 8421.32.0000; 8425.49.0000; 8426.91.0000; 8431.10.0090; 8482.10.1040; 8482.10.1080; 8482.10.5044; 8482.10.5048; 8482.20.0020; 8482.20.0030; 8482.20.0040; 8482.20.0061; 8482.20.0070; 8482.20.0081; 8482.40.0000; 8482.50.0000; 8483.10.1030; 8483.10.3010; 8483.10.3050; 8501.32.2000; 8501.32.4500; 8501.32.5520; 8501.32.5540; 8501.32.6100; 8501.33.2040; 8501.33.2080; 8501.33.3000; 8501.33.4040; 8501.33.4060; 8501.33.6100; 8501.34.3000; 8501.34.6100; 8501.40.2020; 8501.40.2040; 8501.40.4020; 8501.40.4040; 8501.40.5020; 8501.40.5040; 8501.40.6020; 8501.40.6040; 8501.51.2020; 8501.51.2040; 8501.51.4020; 8501.51.4040; 8501.51.5020; 8501.51.5040; 8501.51.6020; 8501.51.6040; 8501.52.4000; 8501.52.8020; 8501.52.8040; 8507.10.0030; 8507.10.0060; 8507.10.0090; 8507.60.0010; 8507.60.0020; 8507.90.4000; 8507.90.8000; 8511.10.0000; 8511.20.0000; 8511.30.0040; 8511.30.0080; 8511.40.0000; 8511.50.0000; 8511.80.2000; 8511.80.6000; 8511.90.6020; 8511.90.6040; 8512.20.2040; 8512.20.2080; 8512.20.4040; 8512.20.4080; 8512.30.0020; 8512.30.0030; 8512.30.0040; 8512.40.2000; 8512.40.4000; 8512.90.2000; 8512.90.6000; 8512.90.7000; 8519.81.2000; 8525.60.1010; 8527.21.1500 8527.21.2525; 8527.21.4080; 8527.29.4000; 8527.29.8000; 8539.10.0010; 8539.10.0050; 8544.30.0000; 8706.00.0520; 8706.00.1520; 8706.00.1540; 8706.00.2500; 8707.10.0020; 8707.10.0040; 8707.90.5060 8707.90.5080; 8708.10.3020; 8708.10.3030; 8708.10.3040; 8708.10.3050; 8708.10.6010; 8708.10.6050; 8708.21.0000; 8708.22.0000; 8708.29.1500; 8708.29.2120; 8708.29.2130; 8708.29.2140; 8708.29.2500; 8708.29.5110; 8708.29.5125; 8708.29.5160; 8708.30.1010; 8708.30.1090; 8708.30.5020; 8708.30.5030; 8708.30.5040; 8708.30.5090; 8708.40.1110; 8708.40.1150; 8708.40.7000; 8708.40.7570; 8708.40.7580; 8708.50.1110; 8708.50.1150; 8708.50.3110; 8708.50.3150; 8708.50.5110; 8708.50.5150; 8708.50.6100; 8708.50.6500; 8708.50.7000; 8708.50.7500; 8708.50.7900; 8708.50.8100; 8708.50.8500; 8708.50.8900; 8708.50.9110; 8708.50.9150; 8708.50.9300; 8708.50.9500; 8708.50.9900; 8708.70.0500; 8708.70.1500; 8708.70.2500; 8708.70.3500; 8708.70.4530; 8708.70.4546; 8708.70.4548; 8708.70.4560; 8708.70.6030; 8708.70.6045; 8708.70.6060; 8708.80.0300; 8708.80.0500; 8708.80.1300; 8708.80.1600; 8708.80.5100; 8708.80.5500; 8708.80.6000; 8708.80.6510; 8708.80.6590; 8708.91.1000; 8708.91.5000; 8708.91.6000; 8708.91.6500; 8708.91.7510; 8708.91.7550; 8708.93.6000; 8708.93.7500; 8708.94.1000; 8708.94.5000; 8708.94.6000; 8708.94.6500; 8708.94.7000; 8708.94.7510; 8708.94.7550; 8708.95.0500; 8708.95.1000; 8708.95.2000; 8708.99.5300; 8708.99.5500; 8708.99.5800; 8708.99.6805; 8708.99.6810; 8708.99.6890; 8716.90.5010; 8716.90.5048; 8716.90.5060; 9015.10.4000; 9015.10.8000; 9029.10.4000; 9029.10.8000; 9029.20.4080; 9401.20.0000

Any automotive part, except those eligible for admission under ''domestic status'' as defined in 19 CFR 146.43, that is subject to the duty imposed by this subdivision and that is admitted into a United States foreign trade zone on or after 12:01 a.m. eastern standard time on the[date of publication of this **Federal Register** notice, must be admitted as ''privileged foreign status'' as defined in 19 CFR 146.41, and will be subject upon entry for consumption to any ad valorem rates of duty related to the classification under this HTSUS subheading.

Goods for which entry is claimed under a provision of chapter 98 and which are subject to the additional duties prescribed herein shall be eligible for and subject to the terms of such provision and applicable U.S. Customs and Border Protection (''CBP'') regulations, except that duties under subheading 9802.00.60 shall be assessed based upon the full value of the imported article. No claim for entry or for any duty exemption or reduction shall be allowed for the automotive parts enumerated in this subdivision (j) of this note under a provision of chapter 99 that may set forth a lower rate of duty or provide duty-free treatment, taking into account information supplied by CBP, but any additional duty prescribed in any provision of this subchapter or subchapter IV of chapter 99 shall be imposed in addition to the duty in heading 9903.94.32. All antidumping, countervailing, or other duties and charges applicable to such goods shall continue to be imposed in addition to the duty in heading 9903.94.32. Entries of automotive parts described in this subdivision (j) shall not be subject to: (1) the additional duties imposed on entries of products of aluminum under heading 9903.85.12; (2) the additional duties imposed on entries of derivative aluminum products under headings 9903.85.13, 9903.85.14, and 9903.85.15; (3) the additional duties imposed

on entries of iron or steel products under headings 9903.81.94 and 9903.81.95; and (4) the additional duties imposed on entries of derivative iron or steel products under headings 9903.81.96, 9903.81.97, 9903.81.98 and 9903.81.99.''

b. U.S. note 33(f) to subchapter III of chapter 99 of the HTSUS is modified by: (i) adding ''and 9903.94.32,'' after ''9903.94.06''; and (ii) deleting ''No claim for entry or for any duty exemption or reduction shall be allowed'' and inserting ''Except as provided in heading 9903.94.32, no claim for entry or for any duty exemption or reduction shall be allowed'' in lieu thereof.

c. Heading 9903.94.05 is modified by deleting the article description and inserting ''Except for 9903.94.06 and 9903.94.32, effective with respect to entries on or after May 3, 2025, automobile parts, as provided for in subdivision (g) of U.S. note 33 to this subchapter'' in lieu thereof.

d. Subchapter III of chapter 99 of the HTSUS is modified by inserting new headings 9903.94.32 in numerical order, with the material in the new heading inserted in the columns of the HTSUS labeled ''Heading/Subheading'', ''Article Description'', ''Rates of Duty 1-General'', ''Rates of Duty 1-Special'' and ''Rates of Duty 2'', respectively:

Heading/ subheading	Article description	Rates of duty		
		1		2
		General (%)	Special (%)	
''9903.94.32	Effective with respect to entries on or after [ ], parts of passenger vehicles and light trucks of the United Kingdom, classified in the subheadings enumerated in subdivision (j) of U.S. note 33 to this subchapter.	10	10	No change.

C. Effective with respect to goods entered for consumption, or withdrawn from warehouse for consumption, on or after 12:01 a.m. eastern time on June 30, 2025:

a. The following new U.S. note 35 to subchapter III of chapter 99 of the HTSUS is inserted in numerical order:

''(a) As provided in heading 9903.96.01, the additional duties imposed by heading 9903.01.25, 9903.81.94, 9903.81.96, 9903.81.97, 9903.81.98, 9903.85.12, 9903.85.13, 9903.85.14, 9903.85.15 shall not apply to articles of civil aircraft (all aircraft other than military aircraft); their engines, parts, and components; their other parts, components, and subassemblies; and ground flight simulators and their parts and components of the United Kingdom, that otherwise meet the criteria of General Note 6 of HTSUS, and classifiable in the following provisions of the HTSUS, but regardless of whether a product is entered under a provision for which the rate of duty ''Free (C)'' appears in the ''Special'' subcolumn: 3917.21.00, 3917.22.00; 3917.23.00; 3917.29.00; 3917.31.00; 3917.33.00; 3917.39.00; 3917.40.00; 3926.90.45; 3926.90.94; 3926.90.96; 3926.90.99; 4008.29.20; 4009.12.00; 4009.22.00; 4009.32.00; 4009.42.00; 4011.30.00; 4012.13.00; 4012.20.10; 4016.10.00; 4016.93.50; 4016.99.35; 4016.99.60; 4017.00.00; 4504.90.00; 4823.90.10; 4823.90.20; 4823.90.31; 4823.90.40; 4823.90.50; 4823.90.60; 4823.90.67; 4823.90.70; 4823.90.80; 4823.90.86; 6812.80.90; 6812.99.10; 6812.99.20; 6812.99.90; 6813.20.00; 6813.81.00; 6813.89.00; 7007.21.11; 7304.31.30; 7304.31.60; 7304.39.00; 7304.41.30; 7304.41.60; 7304.49.00; 7304.51.10; 7304.51.50; 7304.59.10; 7304.59.20; 7304.59.60; 7304.59.80; 7304.90.10; 7304.90.30; 7304.90.50; 7304.90.70; 7306.30.10; 7306.30.30; 7306.30.50; 7306.40.10; 7306.40.50; 7306.50.10; 7306.50.30; 7306.50.50; 7306.61.10; 7306.61.30; 7306.61.50; 7306.61.70; 7306.69.10; 7306.69.30; 7306.69.50; 7306.69.70; 7312.10.05; 7312.10.10; 7312.10.20; 7312.10.30; 7312.10.50; 7312.10.60; 7312.10.70; 7312.10.80; 7312.10.90; 7312.90.00; 7322.90.00; 7324.10.00; 7324.90.00; 7326.20.00; 7413.00.90; 7608.10.00; 7608.20.00; 8108.90.60; 8302.10.60; 8302.10.90; 8302.20.00; 8302.42.30; 8302.42.60; 8302.49.40; 8302.49.60; 8302.49.80; 8302.60.30; 8307.10.30; 8307.90.30; 8407.10.00; 8408.90.90; 8409.10.00; 8411.11.40; 8411.11.80; 8411.12.40; 8411.12.80; 8411.21.40; 8411.21.80; 8411.22.40; 8411.22.80; 8411.81.40; 8411.82.40; 8411.91.10; 8411.91.90; 8411.99.10; 8411.99.90; 8412.10.00; 8412.21.00; 8412.29.40; 8412.29.80; 8412.31.00; 8412.39.00; 8412.80.10; 8412.80.90; 8412.90.90; 8413.19.00; 8413.20.00; 8413.30.10; 8413.30.90; 8413.50.00; 8413.60.00; 8413.70.10; 8413.70.20; 8413.81.00; 8413.91.10; 8413.91.20; 8413.91.90; 8414.10.00; 8414.20.00; 8414.30.40; 8414.30.80; 8414.51.30; 8414.51.90; 8414.59.30; 8414.59.65; 8414.80.05; 8414.80.16; 8414.80.20; 8414.80.90; 8414.90.10; 8414.90.30; 8414.90.41; 8414.90.91; 8415.10.60; 8415.10.90; 8415.81.01; 8415.82.01; 8415.83.00; 8415.90.40; 8415.90.80; 8418.10.00; 8418.30.00; 8418.40.00; 8418.61.01; 8418.69.01; 8419.50.10; 8419.50.50; 8419.81.50; 8419.81.90; 8419.90.10; 8419.90.20; 8419.90.30; 8419.90.50; 8419.90.85; 8421.19.00; 8421.21.00; 8421.23.00; 8421.29.00; 8421.31.00; 8421.32.00; 8421.39.01; 8424.10.00; 8425.11.00; 8425.19.00; 8425.31.01; 8425.39.01; 8425.42.00; 8425.49.00; 8426.99.00; 8428.10.00; 8428.20.00; 8428.33.00; 8428.39.00; 8428.90.03; 8443.31.00; 8443.32.10; 8443.32.50; 8471.41.01; 8471.49.00; 8471.50.01; 8471.60.10; 8471.60.20; 8471.60.70; 8471.60.80; 8471.60.90; 8471.70.10; 8471.70.20; 8471.70.30; 8471.70.40; 8471.70.50; 8471.70.60; 8471.70.90; 8479.89.10; 8479.89.20; 8479.89.65; 8479.89.70; 8479.89.95; 8479.90.41; 8479.90.45; 8479.90.55; 8479.90.65; 8479.90.75; 8479.90.85; 8479.90.95; 8483.10.10; 8483.10.30; 8483.10.50; 8483.30.40; 8483.30.80; 8483.40.10; 8483.40.30; 8483.40.50; 8483.40.70; 8483.40.80; 8483.40.90; 8483.50.40; 8483.50.60; 8483.50.90; 8483.60.40; 8483.60.80; 8483.90.10; 8483.90.20; 8483.90.30; 8483.90.50; 8483.90.80; 8484.10.00; 8484.90.00; 8501.20.50; 8501.20.60; 8501.31.50; 8501.31.60; 8501.31.81; 8501.32.20; 8501.32.55; 8501.32.61; 8501.33.20; 8501.33.30; 8501.33.61; 8501.34.61; 8501.40.50; 8501.40.60; 8501.51.50; 8501.51.60; 8501.52.40; 8501.52.80; 8501.53.40; 8501.53.60; 8501.61.01; 8501.62.01; 8501.63.01; 8501.71.00; 8501.72.10; 8501.72.20; 8501.72.30; 8501.72.90; 8501.80.10; 8501.80.20; 8501.80.30; 8502.11.00; 8502.12.00; 8502.13.00; 8502.20.00; 8502.31.00; 8502.39.00; 8502.40.00; 8504.10.00; 8504.31.20; 8504.31.40; 8504.31.60; 8504.32.00; 8504.33.00; 8504.40.40; 8504.40.60; 8504.40.70; 8504.40.85; 8504.40.95; 8504.50.40; 8504.50.80; 8507.10.00; 8507.20.80; 8507.30.80; 8507.50.00; 8507.60.00; 8507.80.82; 8507.90.40; 8507.90.80; 8511.10.00; 8511.20.00; 8511.30.00; 8511.40.00; 8511.50.00; 8511.80.20; 8511.80.40; 8511.80.60; 8514.20.40; 8516.80.40; 8516.80.80; 8517.13.00; 8517.14.00; 8517.61.00; 8517.62.00; 8517.69.00; 8517.71.00; 8518.10.40; 8518.10.80; 8518.21.00; 8518.22.00; 8518.29.40; 8518.29.80; 8518.30.10; 8518.30.20; 8518.40.10; 8518.40.20; 8518.50.00; 8519.81.10; 8519.81.20; 8519.81.25; 8519.81.30; 8519.81.41; 8519.89.10; 8519.89.20; 8519.89.30; 8521.10.30; 8521.10.60; 8521.10.90; 8522.90.25; 8522.90.36; 8522.90.45; 8522.90.58; 8522.90.65; 8522.90.80; 8526.10.00; 8526.91.00; 8526.92.10; 8526.92.50; 8528.42.00; 8528.52.00; 8528.62.00; 8529.10.21; 8529.10.40; 8529.10.91; 8529.90.04; 8529.90.05; 8529.90.06; 8529.90.09; 8529.90.13; 8529.90.16; 8529.90.19; 8529.90.21; 8529.90.24; 8529.90.29; 8529.90.33; 8529.90.36; 8529.90.39; 8529.90.43; 8529.90.46; 8529.90.49; 8529.90.55; 8529.90.63; 8529.90.68; 8529.90.73; 8529.90.77; 8529.90.78; 8529.90.81; 8529.90.83; 8529.90.87; 8529.90.88; 8529.90.89; 8529.90.93; 8529.90.95;

8529.90.97; 8529.90.98; 8531.10.00; 8531.20.00; 8531.80.15; 8531.80.90; 8536.70.00; 8539.10.00; 8539.51.00; 8543.70.42; 8543.70.45; 8543.70.60; 8543.70.80; 8543.70.91; 8543.70.95; 8543.90.12; 8543.90.15; 8543.90.35; 8543.90.65; 8543.90.68; 8543.90.85; 8543.90.88; 8544.30.00; 8801.00.00; 8802.11.01; 8802.12.01; 8802.20.01; 8802.30.01; 8802.40.01; 8805.29.00; 8806.10.00; 8806.21.00; 8806.22.00; 8806.23.00; 8806.24.00; 8806.29.00; 8806.91.00; 8806.92.00; 8806.93.00; 8806.94.00; 8806.99.00; 8807.10.00; 8807.20.00; 8807.30.00; 8807.90.90; 9001.90.40; 9001.90.50; 9001.90.60; 9001.90.80; 9001.90.90; 9002.90.20; 9002.90.40; 9002.90.70; 9002.90.85; 9002.90.95; 9014.10.10; 9014.10.60; 9014.10.70; 9014.10.90; 9014.20.20; 9014.20.40; 9014.20.60; 9014.20.80; 9014.90.10; 9014.90.20; 9014.90.40; 9014.90.60; 9020.00.40; 9020.00.60; 9025.11.20; 9025.11.40; 9025.19.40; 9025.19.80; 9025.80.10; 9025.80.15; 9025.80.20; 9025.80.35; 9025.80.40; 9025.80.50; 9025.90.06; 9026.10.20; 9026.10.40; 9026.10.60; 9026.20.40; 9026.20.80; 9026.80.20; 9026.80.40; 9026.80.60; 9026.90.20; 9026.90.40; 9026.90.60; 9029.10.80; 9029.20.40; 9029.90.80; 9030.10.00; 9030.20.05; 9030.20.10; 9030.31.00; 9030.32.00; 9030.33.34; 9030.33.38; 9030.39.01; 9030.40.00; 9030.84.00; 9030.89.01; 9030.90.25; 9030.90.46; 9030.90.66; 9030.90.68; 9030.90.84; 9030.90.89; 9031.80.40; 9031.80.80; 9031.90.21; 9031.90.45; 9031.90.54; 9031.90.59; 9031.90.70; 9031.90.91; 9032.10.00; 9032.20.00; 9032.81.00; 9032.89.20; 9032.89.40; 9032.89.60; 9032.90.21; 9032.90.41; 9032.90.61; 9033.00.90; 9104.00.05; 9104.00.10; 9104.00.20; 9104.00.25; 9104.00.30; 9104.00.40; 9104.00.45; 9104.00.50; 9104.00.60; 9109.10.50; 9109.10.60; 9109.90.20; 9401.10.40; 9401.10.80; 9403.20.00; 9403.70.40; 9403.70.80; 9405.11.40; 9405.11.60; 9405.11.80; 9405.19.40; 9405.19.60; 9405.19.80; 9405.61.20; 9405.61.40; 9405.61.60; 9405.69.20; 9405.69.40; 9405.69.60; 9405.92.00; 9405.99.20; 9405.99.40; 9620.00.50; 9620.00.60; 9802.00.40; 9802.00.50; 9802.00.60; 9802.00.80; 9818.00.05; 9818.00.07;

b. U.S. note 2(v)(i) to subchapter III of chapter 99 of the HTSUS is modified by (i) deleting ''Except as provided in headings 9903.01.26–9903.01.33, in heading 9903.01.34'' and inserting ''Except as provided in headings 9903.01.26–9903.01.33, in heading 9903.01.34, in heading 9903.96.01'' in lieu thereof; and (ii) inserting ''except as provided in 9903.96.01 with respect to the Agreement on Trade and Civil Aircraft'' after ''Products that are eligible for special tariff treatment under general note 3(c)(i) to the tariff schedule, or that are eligible for temporary duty exemptions or reductions under subchapter II to chapter 99, shall be subject to the additional ad valorem rate of duty imposed by these headings''.

c. U.S. note 16(p) to subchapter III of chapter 99 of the HTSUS is modified by inserting ''Except as provided in heading 9903.96.01'' to the beginning of the first sentence.

d. U.S. note 16(r) to subchapter III of chapter 99 of the HTSUS is modified by to inserting ''Except as provided in heading 9903.96.01'' to the beginning of the first sentence.

e. U.S. note 19(n) to subchapter III of chapter 99 of the HTSUS is modified by inserting ''Except as provided in heading 9903.96.01 of this subchapter,'' to the beginning of the first sentence.

f. U.S. note 19(p) is modified by inserting ''Except as provided in heading 9903.96.01] of this subchapter,'' to the beginning of the first sentence.

g. Heading 9903.01.25 is modified by deleting ''and except as provided for in heading 9903.01.34'' and inserting ''except as provided for in heading 9903.01.34, and except as provided for in heading 9903.96.01,'' in lieu thereof.

h. Subchapter III of chapter 99 of the HTSUS is modified by inserting new headings 9903.96.01 numerical order, with the material in the new heading inserted in the columns of the HTSUS labeled ''Heading/Subheading'', ''Article Description'', ''Rates of Duty 1-General'', ''Rates of Duty 1-Special'' and ''Rates of Duty 2'', respectively:

Heading/subheading	Article description	Rates of duty		
		1		2
		General	Special	
''9903.96.01	Effective with respect to entries on or after [ ], articles of civil aircraft (all aircraft other than military aircraft); their engines, parts, and components; their other parts, components, and subassemblies; and ground flight simulators and their parts and components of the United Kingdom, classified in the subheadings enumerated in subdivision (a) of U.S. note 35 to this subchapter.	The duty provided in the applicable subheading.	The duty provided in the applicable subheading.	No change.

[FR Doc. 2025–12060 Filed 6–26–25; 4:15 pm]
BILLING CODE 3510–DR–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648–XF007]

Magnuson-Stevens Act Provisions; General Provisions for Domestic Fisheries; Application for Exempted Fishing Permits

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

ACTION: Notice; request for comments.

SUMMARY: The Assistant Regional Administrator for Sustainable Fisheries, Greater Atlantic Region, NMFS, has made a preliminary determination that an Exempted Fishing Permit (EFP) application contains all of the required information and warrants further consideration. The EFP would allow federally permitted fishing vessels to fish outside fishery regulations in support of exempted fishing activities proposed by the Coonamessett Farm Foundation (CFF). Regulations under the Magnuson-Stevens Fishery Conservation and Management Act require publication of this notification to provide interested parties the opportunity to comment on applications for proposed EFPs.

DATES: Comments must be received on or before July 15, 2025.

ADDRESSES: You may submit written comments by email: *nmfs.gar.efp@noaa.gov.* Include in the subject line ''CFF Oceanic Squid Fishery EFP.'' All comments received are a part of the public record and may be posted for public viewing without change. All personal identifying information (*e.g.,* name, address), confidential business information, or otherwise sensitive information submitted voluntarily by the sender will be publicly accessible. NMFS will accept anonymous comments (enter ''anonymous'' as the signature if you wish to remain anonymous).

FOR FURTHER INFORMATION CONTACT: Christine Ford, Fishery Management Specialist, *christine.ford@noaa.gov,* 978–281–9185.

SUPPLEMENTARY INFORMATION: The applicant submitted a complete application for an EFP to conduct commercial fishing activities that the regulations would otherwise restrict. This EFP would exempt the participating vessels from the following Federal regulations:

TABLE 1—REQUESTED EXEMPTIONS

CFR citation	Regulation	Need for exemption
50 CFR 648.351(a)	Restriction against fishing for, possessing, or landing more than 1,700 lb (771.11 kg) of all Mid-Atlantic forage species combined per trip.	To allow for the landing of Mid-Atlantic forage species in excess of the possession limit.

TABLE 2—PROJECT SUMMARY

Project title	Developing an Oceanic Squid Fishery in the Northwest Atlantic.
Project start	08/01/2025.
Project end	12/31/2025.
Project objectives	To assess the viability of developing an offshore squid fishery.
Project location	Waters off the continental shelf. Statistical Areas: 525, 526, 533, 534, 537, and 541 (also possibly 542, 543, 552, 562, 616, 623, and 624).
Number of vessels	3 (2 primary, and 1 back-up).
Number of trips	2.
Trip duration (days)	7.
Total number of days	14.
Gear type(s)	Auto-jigging machines.
Number of tows or sets	60.
Duration of tows or sets	6–12 hours.

Project Narrative

The purpose of this project is to conduct exploratory fishing in waters off the continental shelf to assess resource availability, and promote sustainable fishing opportunities for oceanic squid species. The applicant states that the neon flying squid, valuable in Asian and European markets, was successfully targeted during an exploratory fishing trip off the Eastern Coast of the United States in the late 1990s, and has promise to support a directed fishery.

Under this EFP, participating fishermen would trial automatic jigging machines, paired with high-intensity lighting and a deep-sea anchoring system, to catch unmanaged squid species, and to gauge commercial potential of further equipping fishing vessels to target these species and develop new markets. Two 7-day exploratory fishing trips would occur. Fishing would occur day and night for 5 days during each trip. Vessels would be outfitted with four-six double drummed automatic jigging machines. Each jigging line would be rigged with 10 barbless hooks designed to catch neon flying squid, fished at depths up to 200 meters (m), in waters of total depths between 250–1,500 m. In addition to the jigging machines, fishing operations would include an array of 12 metal halide and 20 high-intensity light-emitting diode deck lights on the surface, and one underwater metal halide light lowered by a dedicated winch. The vessel would use a deep-sea parachute sea anchor to reduce drift and stabilize the vessel.

CFF research staff would be aboard vessels to oversee fishing and conduct sampling activities. Squid would be identified to the lowest taxonomic level possible, and representative samples would be retained to verify identification. Squid lengths and weights would be recorded for each taxa caught, and the time and location would be recorded to monitor effort. Catch information on all species incidentally caught would be recorded. Unmanaged squid species caught would be retained for sale. *Illex* and longfin squid would be landed within vessel possession limits, although the jig size would be too large for most *Illex* squid, and the depths and distance from shore fished would make catching longfin squid unlikely. The applicant anticipates catching up to 10,000 lb (4,536 kg) of squid per trip.

If approved, the applicant may request minor modifications and extensions to the EFP throughout the year. EFP modifications and extensions may be granted without further notice if they are deemed essential to facilitate completion of the proposed research and have minimal impacts that do not change the scope or impact of the initially approved EFP request. Any fishing activity conducted outside the scope of the exempted fishing activity would be prohibited.

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

Dated: June 26, 2025.

Kelly Denit,

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

[FR Doc. 2025–12053 Filed 6–27–25; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF DEFENSE

Office of the Secretary

Termination of Home Health Value-Based Purchasing Demonstration

AGENCY: Defense Health Agency (DHA), Department of Defense.

ACTION: Notice of termination of the DHA's Home Health Value-Based Purchasing Demonstration.

SUMMARY: This notice is to advise interested parties of the termination of the DHA's Home Health Value-Based Purchasing (HHVBP) Demonstration. On November 9, 2021, the Centers for Medicare and Medicaid Services (CMS) published a final rule announcing the termination of the original Medicare HHVBP Model one year early for home health agencies (HHAs) in the nine original model states. This serves as formal notice that DHA also terminated the HHVBP demonstration applicable in the original nine model states. Due to the limited time this demonstration was active, there was insufficient data to draft a report detailing findings.

DATES: DHA's current HHVBP model ended December 31, 2021.

FOR FURTHER INFORMATION CONTACT: Duncan Moskowitz, 303–676–3582, *duncan.p.moskowitz.civ@health.mil.* Questions regarding payment of specific claims should be addressed to the appropriate TRICARE contractor.

SUPPLEMENTARY INFORMATION: On September 25, 2019, the DHA published a **Federal Register** notice (''TRICARE; Civilian Health and Medical Program of the Uniformed Services (CHAMPUS); Adoption of Medicare's Home Health Value-Based Purchasing (HHVBP) Adjustments for Reimbursement Under TRICARE's Home Health Prospective Payment System Demonstration'') adopting CMS' HHVBP Model as a demonstration for the TRICARE program (84 FR 50416). The purpose of the HHVBP demonstration was to improve the quality and delivery of home healthcare, and incentivize those HHAs that provide higher quality, more efficient care, as well as evaluate the administrative feasibility of adopting HHVBP adjustments under the TRICARE program. It was expected that adoption of the HHVBP model would strengthen the impact of the incentives included within the model by adding TRICARE's market share to CMS'.

DHA's adoption of CMS's HHVBP was consistent with section 705(a) of the National Defense Authorization Act for Fiscal Year 2017. The adoption of this model established a new value-based demonstration within the TRICARE program, based on CMS' similar model.

The notice stated that DHA's HHVBP demonstration would be effective January 1, 2020, through December 31, 2022, unless terminated earlier by CMS or by TRICARE. On November 9, 2021, the CMS published a final rule (86 FR 62240) in the **Federal Register** announcing the termination of the original Medicare HHVBP Model one year early for HHAs in the nine original model states. Director, DHA hereby gives notice that the DHA's original HHVBP demonstration ended December 31, 2021. Due to the limited time this demonstration was active, there was insufficient data for DHA to draft a report detailing the findings of this demonstration and potential next steps.

Dated: June 25, 2025.

Aaron T. Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2025–11986 Filed 6–27–25; 8:45 am]

BILLING CODE 6001–FR–P

DEPARTMENT OF DEFENSE

Office of the Secretary

Department of Defense Implementation of the National Environmental Policy Act

AGENCY: Office of the Secretary of Defense, Department of Defense (DoD).

ACTION: Public notice.

SUMMARY: The Army, Navy and Air Force are rescinding their NEPA implementing regulations in separate interim final rules. The Department will make the *Department of Defense National Environmental Policy Act Implementing Procedures* (DoD NEPA Procedures) available on the website listed in the **SUPPLEMENTARY INFORMATION** section of this notice on June 30, 2025.

FOR FURTHER INFORMATION CONTACT: Terry Bowers, Office of the Assistant Secretary of Defense for Energy, Installations, and Environment, (703) 693–9447, *terry.l.bowers14.civ@mail.mil.*

SUPPLEMENTARY INFORMATION: The Council on Environmental Quality (CEQ) previously issued regulations at 40 CFR parts 1500–1508 implementing the National Environmental Policy Act (NEPA). On February 25, 2025, CEQ issued an interim final rule to remove these regulations. *See Removal of National Environmental Policy Act Implementing Regulations* (90 FR 10610; Feb. 25, 2025). This action was necessitated by and consistent with Executive Order (E.O.) 14154, *Unleashing American Energy* (90 FR 8353; January 20, 2025), in which President Trump rescinded President Carter's E.O. 11991, *Relating to Protection and Enhancement of Environmental Quality* (42 FR 26967; May 24, 1977), which was the original authority for CEQ's issuance of NEPA implementing regulations. The Military Departments' NEPA implementing procedures had served as a supplement to those CEQ regulations. E.O. 14154 further directed agencies to revise their NEPA implementing procedures consistent with the E.O.; the Military Departments will therefore repeal their respective National Environmental Policy Act (NEPA) implementing regulations by June 30, 2025.

The Department will also issue the *Department of Defense National Environmental Policy Act Implementing Procedures* (DoD NEPA Procedures) on June 30, 2025. These procedures will apply to DoD Components including functions for the Army Civil Works programs. These procedures will be available on *https://www.denix.osd.mil/nepa/.* The U.S. Army Corps of Engineers will issue separate NEPA implementing regulations for their regulatory functions formerly addressed under title 33 CFR part 320.

The DoD NEPA Procedures provide guidelines for agency procedure and practice with respect to NEPA compliance. The DoD NEPA Procedures do not govern the rights and obligations of any party outside the federal government. Further, nothing contained in the DoD NEPA Procedures is intended or should be construed to limit the Department's other authorities or legal responsibilities.

The DoD NEPA Procedures seek to faithfully implement the recent significant changes to NEPA prescribed by Congress, instruction provided by the President, and guidance provided by the Supreme Court. They streamline and improve efficiency of the environmental review process; expedite project delivery; and ensure that NEPA documents inform and, to the extent appropriate, involve the public, focus on the significant issues that require analysis, and foster informed decision-making based on an understanding of the potential action's environmental impacts. Appendix A to the DoD NEPA Procedures lists categorical exclusions that have been established by DoD Components.

Dated: June 26, 2025.

Aaron T. Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2025–12094 Filed 6–27–25; 8:45 am]

BILLING CODE 6001–FR–P

DEPARTMENT OF EDUCATION

[Docket No.: ED–2025–SCC–0015]

Agency Information Collection Activities; Submission to the Office of Management and Budget for Review and Approval; Comment Request; Income Driven Repayment Plan Request for the William D. Ford Federal Direct Loans and Federal Family Education Loan Programs

AGENCY: Department of Education (ED).

ACTION: Notice.

SUMMARY: In accordance with the Paperwork Reduction Act (PRA) of 1995, the Department is proposing a revision of a currently approved information collection request (ICR).

DATES: Interested persons are invited to submit comments on or before July 30, 2025.

ADDRESSES: Written comments and recommendations for proposed information collection requests should be submitted within 30 days of publication of this notice. Click on this link *www.reginfo.gov/public/do/PRAMain* to access the site. Find this information collection request (ICR) by selecting ''Department of Education'' under ''Currently Under Review,'' then check the ''Only Show ICR for Public Comment'' checkbox. *Reginfo.gov* provides two links to view documents related to this information collection request. Information collection forms and instructions may be found by clicking on the ''View Information Collection (IC) List'' link. Supporting statements and other supporting documentation may be found by clicking on the ''View Supporting Statement and Other Documents'' link.

FOR FURTHER INFORMATION CONTACT: For specific questions related to collection activities, please contact Carolyn Rose, (202) 453–5967.

SUPPLEMENTARY INFORMATION: The Department is especially interested in public comment addressing the following issues: (1) is this collection necessary to the proper functions of the Department; (2) will this information be processed and used in a timely manner; (3) is the estimate of burden accurate; (4) how might the Department enhance the quality, utility, and clarity of the information to be collected; and (5) how might the Department minimize the burden of this collection on the respondents, including through the use of information technology. Please note that written comments received in response to this notice will be considered public records.

Title of Collection: Income Driven Repayment Plan Request for the William D. Ford Federal Direct Loans and Federal Family Education Loan Programs.

OMB Control Number: 1845–0102.

Type of Review: Revision of a currently approved ICR.

Respondents/Affected Public: Individuals or Households.

Total Estimated Number of Annual Responses: 9,500,000.

Total Estimated Number of Annual Burden Hours: 3,135,000.

Abstract: The Department of Education (Department) is requesting an emergency clearance for this revision of the information collection, 1845–0102. Additionally, we are requesting that the full clearance package be filed at the same time and that the Department will initiate the 60-day public comment period upon notification of emergency approval.

Section 493C of the Higher Education Act of 1965, as amended (the HEA), authorizes the Income-Based Repayment (IBR) Plan for borrowers who obtain student loans through the Federal Family Education Loan (FFEL) Program and William D. Ford Federal Direct Loan (Direct Loan) Program. Section 455(d) of the HEA authorizes income-contingent repayment plans for borrowers who obtain student loans through the Direct Loan Program. The regulations that govern the IBR plan are in 34 CFR 682.215 and 685.221. The regulations that govern the income-contingent repayment plans are in 34 CFR 685.209. There are two income-contingent repayment plans: the Pay As You Earn (PAYE) Plan, and the Income-Contingent Repayment (ICR) Plan. These plans are collectively referred to as Income Driven Repayment (IDR) plans. In 2021, the Secretary initiated a negotiated rulemaking process to create a new IDR plan. As a result of these negotiations, a final Rule was published July 10, 2023, introducing the Saving on an Affordable Education (SAVE) Plan as a replacement for the REPAYE Plan and making additional changes to all IDR plans to make them more consistent. An injunction was initially filed on August 9, that prevented the implementation of the provisions specific to the SAVE Plan and on February 18, 2025, the injunction was expanded to enjoin the entirety of the Final Rule that went into effect July 1, 2024, which included provisions that had already been implemented related to the other IDR plans.

Under the statute, a borrower who wishes to repay under an Income Contingent or Income Based repayment plan must annually provide their Adjusted Gross Income (AGI) reported to the Internal Revenue Service (IRS). A borrower must also annually certify their family size.

If a borrower's AGI is not available, or if the borrower believes that their current AGI does not reasonably reflect their current income, regulations allow that they may provide alternative documentation of income for purposes of determining whether they (1) qualify for the repayment plan requested, (2) qualify to continue making income-driven payments, and (3) calculate their monthly payment amount.

The Department is updating the IDR Request Form that is used by a borrower to enroll, recertify, or change their IDR plan to support the provisions identified by the court injunction issued February 18, 2025. Specifically, the form is being updated to remove the SAVE plan as an option for borrowers to select and remove the other early-implemented components of the Final Rule that apply to the other IDR plans (*i.e.,* revert the definition of family size to the pre-July 1, 2024, definition for all IDR plans and remove references to interest subsidy during repayment), additional updates to improve clarity and the borrower experience as a result of these changes have also been made.

Brian Fu,

Program and Management Analyst, Office of the Chief Data Officer, Office of Planning, Evaluation, and Policy Development.

[FR Doc. 2025–12005 Filed 6–27–25; 8:45 am]

BILLING CODE 4000–01–P

ELECTION ASSISTANCE COMMISSION

Sunshine Act Meetings

AGENCY: Election Assistance Commission.

ACTION: Sunshine Act notice; Notice of public meeting agenda.

SUMMARY: Public Meeting; U.S. Election Assistance Commission: Voting System Certification to VVSG 2.0.

DATES: Wednesday, July 16, 11:00 a.m.–12:30 p.m. ET.

ADDRESSES: The meeting will be livestreamed on the U.S. Election Assistance Commission YouTube Channel: *https://www.youtube.com/channel/UCpN6i0g2rlF4ITWhwvBwwZw.*

FOR FURTHER INFORMATION CONTACT: Kristen Muthig, Telephone: (202) 897–9285, Email: *kmuthig@eac.gov.*

SUPPLEMENTARY INFORMATION:

Purpose: In accordance with the Government in the Sunshine Act (Sunshine Act), Public Law 94–409, as amended (5 U.S.C. 552b), the U.S. Election Assistance Commission (EAC) will conduct an open meeting on the certification of a voting system to the Voluntary Voting System Guidelines (VVSG) 2.0.

Agenda: During the meeting, the EAC Commissioners will lead a discussion with EAC staff, the voting system vendor, and the voting system test laboratory on the process of certifying the first system to VVSG 2.0. The panelists will also discuss next steps for VVSG 2.0 certified systems.

The full agenda will be posted in advance on the EAC website: *https://www.eac.gov.*

Background: Section 221 of the Help America Vote Act (HAVA) of 2002 (52 U.S.C. 20971(b)) requires that the EAC to adopt voluntary voting system guidelines, and to provide for the testing, certification, decertification, and

recertification of voting system hardware and software.

On February 10, 2021, the EAC Commissioners unanimously approved the most recent iteration, VVSG 2.0. Since the approval of VVSG 2.0, the EAC has worked on the next steps and materials so these standards and requirements can be implemented, and new voting systems can be manufactured and tested to those standards.

Status

This meeting will be open to the public. Please note that comments submitted in response to this Notice are public record. Before including any detailed personal information, you should be aware that your submitted comments, including your personal information, will be available for public review.

Seton Parsons,

Associate Counsel, U.S. Election Assistance Commission.

[FR Doc. 2025–12058 Filed 6–26–25; 4:15 pm]

BILLING CODE 4810–71–P

DEPARTMENT OF ENERGY

Notice of Request for Information (RFI) on 2026 Energy Critical Materials Assessment

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

ACTION: Request for information.

SUMMARY: The U.S. Department of Energy (DOE) invites public comment on its Request for Information (RFI) number DE–FOA–0003568 regarding the 2026 Energy Critical Materials Assessment. This RFI seeks public comment on energy technologies of interest, materials of interest, supply chain information, market dynamics, challenges to domestic industry, methodology, DOE critical materials and DOI critical minerals lists, and other stakeholder issues related to the Energy Critical Materials Assessment. Such input will inform the 2026 Energy Critical Materials Assessment.

DATES: Responses to the RFI must be received by July 25, 2025.

ADDRESSES: Interested parties are to submit comments electronically to *EnergyCriticalMaterialsRFI@ee.doe.gov.* Include ''Energy Critical Materials Assessment'' in the subject line of the email. Only electronic responses will be accepted. The complete RFI document is located at *https://eere-exchange.energy.gov/Default.aspx#FoaId20f54be6-7c3d-42ed-a986-21fbcdd0aa6f.*

FOR FURTHER INFORMATION CONTACT: Questions may be addressed to Kathryn Peretti at (202) 748–3791, *kathryn.peretti@ee.doe.gov,* or *EnergyCriticalMaterialsRFI@ee.doe.gov.* Further instruction can be found in the RFI document posted on EERE Exchange *https://eere-exchange.energy.gov/Default.aspx#FoaId20f54be6-7c3d-42ed-a986-21fbcdd0aa6f.*

SUPPLEMENTARY INFORMATION: The purpose of the RFI is to solicit feedback from industry, academia, research laboratories, government agencies, and other stakeholders on the 2026 Energy Critical Materials Assessment. DOE is specifically interested in information on data and/or other information that support energy technologies of interest, materials of interest, supply chain information, market dynamics, challenges to domestic industry, methodology, DOE critical materials and DOI critical minerals lists, and other stakeholder issues related to the Energy Critical Materials Assessment. This is solely a request for information and not a Notice of Funding Opportunity (NOFO). DOE is not accepting applications. The RFI is available at: *https://eere-exchange.energy.gov/Default.aspx#FoaId20f54be6-7c3d-42ed-a986-21fbcdd0aa6f.*

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, postal mail, or hand delivery 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. Submit these documents via email or on a CD, if feasible. DOE will make its own determination about the confidential status of the information and treat it according to its determination.

Signing Authority: This document of the Department of Energy was signed on May 16, 2025, by Louis Hrkman, Principal Deputy 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 June 26, 2025.

Treena V. Garrett,

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

[FR Doc. 2025–12054 Filed 6–27–25; 8:45 am]

BILLING CODE 6450–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 2842–046]

City of Idaho Falls, Idaho; Notice of Effectiveness of Withdrawal of Application for Temporary Variance of License

On December 2, 2024, and supplemented on February 7, 2025, City of Idaho Falls, Idaho (licensee) filed a request for a temporary variance of license requirements for the 27.9-megawatt Idaho Falls Hydroelectric Project No. 2842. On June 9, 2025, the licensee filed a request to withdraw its request.

No motion in opposition to the request for withdrawal has been filed, and the Commission has taken no action to disallow the withdrawal. Pursuant to Rule 216(b) of the Commission's Rules of Practice and Procedure,[1] the withdrawal of the variance request became effective on June 24, 2025, and this proceeding is hereby terminated.

Dated: June 25, 2025.

Debbie-Anne A. Reese,

Secretary.

[FR Doc. 2025–12109 Filed 6–27–25; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 7274–035]

Town of Wells; Notice of Application Ready for Environmental Analysis and Soliciting Comments, Recommendations, Terms and Conditions, and Prescriptions

Take notice that the following hydroelectric application has been filed

[1] 18 CFR 385.216(b) (2024).

with the Commission and is available for public inspection.

a. *Type of Application:* Subsequent Minor License.

b. *Project No.:* 7274–035.

c. *Date Filed:* July 31, 2023.

d. *Applicant:* Town of Wells.

e. *Name of Project:* Lake Algonquin Hydroelectric Project.

f. *Location:* On the Sacandaga River in the town of Wells, Hamilton County, New York.

g. *Filed Pursuant to:* Federal Power Act, 16 U.S.C. 791(a)–825(r).

h. *Applicant Contact:* Matthew Taylor, Principle-in-Charge, GZA GeoEnvironmental of New York, 104 West 29th Street, 10th Floor, New York 10001; Phone at (781) 278–5803 or email at *matthew.taylor@gza.com;* or Beth Hunt, Supervisor, Town of Wells, P.O. Box 205, Wells, New York 12190; Phone at (518) 924–7912 or email at *beth-hunt@townofwells.org.*

i. *FERC Contact:* Samantha Pollak at (202) 502–6419, or *samantha.pollak@ferc.gov.*

j. *Deadline for filing comments, recommendations, terms and conditions, and prescriptions:* on or before 5:00 p.m. Eastern Time on August 25, 2025;[1] reply comments are due on or before 5:00 p.m. Eastern Time October 8, 2025.

The Commission strongly encourages electronic filing. Please file comments, recommendations, terms and conditions, and prescriptions using the Commission's eFiling system at *https://ferconline.ferc.gov/FERCOnline.aspx.* Commenters can submit brief comments up to 6,000 characters, without prior registration, using the eComment system at *https://ferconline.ferc.gov/QuickComment.aspx.* 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, please send a paper copy via U.S. Postal Service to: Debbie-Anne A. Reese, Acting 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, Acting Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, Maryland 20852. All filings must clearly identify the project name and docket number on the first page: Lake Algonquin Hydroelectric Project (P–7274–035).

The Commission's Rules of Practice and Procedure require all interveners filing documents with the Commission to serve a copy of that document on each person on the official service list for the project. Further, if an intervener files comments or documents with the Commission relating to the merits of an issue that may affect the responsibilities of a particular resource agency, they must also serve a copy of the document on that resource agency.

k. This application has been accepted and is ready for environmental analysis at this time.

l. *The Lake Algonquin Hydroelectric Project consists of the following facilities:* (1) a 239-foot-long, 26.5-foot-high concrete gravity dam composed of an ogee spillway section at each end and a gated spillway section in the middle with three steel 19-foot-wide by 12-foot-high vertical lift roller gates; (2) an impoundment with a surface area of 275 acres and a storage capacity of 2,557 acre-feet at an elevation of 986.84 feet National Geodetic Vertical Datum of 1929 (NGVD 29); (3) two dikes/low points along the reservoir rim; (4) a 27-foot-high, 21-foot-wide, 52-foot-long intake structure; (5) a buried 10-foot-diameter, 113-foot-long steel penstock; (6) a 25-foot-wide, 63-foot-long concrete, steel, and masonry powerhouse containing one turbine-generator unit with a rated capacity of 698 kilowatts; (7) a 480-volt, 65-foot-long generator lead; (8) a 480-volt/4.8-kilovolt (kV) step-up transformer; (9) a 4.8-kV, approximately 50-foot-long overhead transmission line; and (10) appurtenant facilities.

The project operates in a run-of-river mode and discharges a minimum flow of 20 cubic feet per second into the project's bypassed reach to protect aquatic resources. The project has an average annual generation of 1,363 megawatt-hours.

m. A copy of the application is available for review via the internet through the Commission's Home Page (*http://www.ferc.gov*), using the ''eLibrary'' link. Enter the docket number, excluding the last three digits in the docket number field, to access the document. For assistance, contact FERC at *FERCOnlineSupport@ferc.gov* or call toll free, (886) 208–3676 or TTY (202) 502–8659.

All filings must (1) bear in all capital letters the title ''COMMENTS,'' ''REPLY COMMENTS,'' ''RECOMMENDATIONS,'' ''TERMS AND CONDITIONS,'' or ''PRESCRIPTIONS;'' (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 submitting the filing; and (4) otherwise comply with the requirements of 18 CFR. 385.2001 through 385.2005. All comments, recommendations, terms and conditions or prescriptions must set forth their evidentiary basis and otherwise comply with the requirements of 18 CFR 4.34(b). Agencies may obtain copies of the application directly from the applicant. Each filing must be accompanied by proof of service on all persons listed on the service list prepared by the Commission in this proceeding in accordance with 18 CFR 4.34(b) and 385.2010.

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.*

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, contact FERC Online Support.

n. *The applicant must file the following on or before 5:00 p.m. Eastern Time on August 25, 2025:*[2] (1) copy of the water quality certification; (2) a copy of the request for certification, including proof of the date on which the certifying agency received the request; or (3) evidence of a waiver of water quality certification.

o. Final amendments to the application must be filed with the Commission on or before 5:00 p.m. Eastern Time on July 25, 2025.

Dated: June 25, 2025.

Carlos D. Clay,

Deputy Secretary.

[FR Doc. 2025–12049 Filed 6–27–25; 8:45 am]

BILLING CODE 6717–01–P

[1] The Commission's Rules of Practice and Procedure provide that if a deadline falls on a Saturday, Sunday, holiday, or other day when the Commission is closed for business, the deadline does not end until the close of business on the next business day. 18 CFR. 385.2007(a)(2). Because the 60-day filing deadline falls on Sunday (*i.e.,* August 24, 2025), the filing deadline is extended until on or before 5:00 p.m. Eastern Time on Monday, August 25, 2025.

[2] *Id.*

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings #1

Take notice that the Commission received the following exempt wholesale generator filings:

Docket Numbers: EG25–359–000.
Applicants: Tilden Solar, LLC.
Description: Tilden Solar, LLC submits Notice of Self-Certification of Exempt Wholesale Generator Status.
Filed Date: 6/25/25.
Accession Number: 20250625–5132.
Comment Date: 5 p.m. ET 7/16/25.

Take notice that the Commission received the following electric rate filings:

Docket Numbers: ER10–1586–011; ER10–1630–011.
Applicants: Wolf Hills Energy, LLC, Big Sandy Peaker Plant, LLC.
Description: Amendment to 06/30/2023, Triennial Market Power Analysis for Northeast Region of Big Sandy Peaker Plant, LLC, et al.
Filed Date: 6/23/25.
Accession Number: 20250623–5403.
Comment Date: 5 p.m. ET 7/14/25.

Docket Numbers: ER25–441–001.
Applicants: Richland Township Solar II, LLC.
Description: Notice of Non-Material Change in Status of Richland Township Solar II, LLC.
Filed Date: 6/24/25.
Accession Number: 20250624–5841.
Comment Date: 5 p.m. ET 7/15/25.

Docket Numbers: ER25–2609–000.
Applicants: Public Service Company of Colorado.
Description: § 205(d) Rate Filing: 2025–06–24—PSC–UPI–T–2024–15–SISA–883–0.0.0 to be effective 5/9/2025.
Filed Date: 6/24/25.
Accession Number: 20250624–5602.
Comment Date: 5 p.m. ET 7/15/25,

Docket Numbers: ER25–2610–000.
Applicants: Evergy Missouri West, Inc.
Description: § 205(d) Rate Filing: Wholesale Distribution Access Tariff Update Filing to be effective 6/25/2025.
Filed Date: 6/24/25.
Accession Number: 20250624–5618.
Comment Date: 5 p.m. ET 7/15/25.

Docket Numbers: ER25–2611–000.
Applicants: Rumble Solar, LLC.
Description: § 205(d) Rate Filing: Application for Market-Based Rate Authorization—Rumble Solar, LLC to be effective 8/24/2025.
Filed Date: 6/24/25.
Accession Number: 20250624–5657.
Comment Date: 5 p.m. ET 7/15/25.

Docket Numbers: ER25–2612–000.
Applicants: Rumble Energy Storage, LLC.
Description: § 205(d) Rate Filing: Application for Market-Based Rate Authorization—Rumble Energy Storage, LLC to be effective 8/24/2025.
Filed Date: 6/24/25.
Accession Number: 20250624–5668.
Comment Date: 5 p.m. ET 7/15/25.

Docket Numbers: ER25–2613–000.
Applicants: Buena Vista Energy Center III, LLC.
Description: § 205(d) Rate Filing: Application for Market-Based Rate Authorization—Buena Vista EC III, LLC to be effective 8/24/2025.
Filed Date: 6/24/25.
Accession Number: 20250624–5679.
Comment Date: 5 p.m. ET 7/15/25.

Docket Numbers: ER25–2614–000.
Applicants: PJM Interconnection, L.L.C.
Description: § 205(d) Rate Filing: Amendment to WMPA, Service Agreement No. 6760; Queue Position No. AF1–134 to be effective 8/25/2025.
Filed Date: 6/25/25.
Accession Number: 20250625–5034.
Comment Date: 5 p.m. ET 7/16/25.

Docket Numbers: ER25–2615–000.
Applicants: Midcontinent Independent System Operator, Inc.
Description: § 205(d) Rate Filing: 2025–06–25_SA 4504 Hoosier Energy Rural-Worthington Solar GIA (J1641) to be effective 8/25/2025.
Filed Date: 6/25/25.
Accession Number: 20250625–5035.
Comment Date: 5 p.m. ET 7/16/25.

Docket Numbers: ER25–2616–000.
Applicants: AEP Texas Inc.
Description: § 205(d) Rate Filing: AEPTX-Bobcat Energy Center (Leopard BESS) Generation Interconnection Agreement to be effective 6/9/2025.
Filed Date: 6/25/25.
Accession Number: 20250625–5047.
Comment Date: 5 p.m. ET 7/16/25.

Docket Numbers: ER25–2617–000.
Applicants: PJM Interconnection, L.L.C.
Description: § 205(d) Rate Filing: Amendment to ISA, Service Agreement No. 6517; Queue Position No. AE2–322 to be effective 8/25/2025.
Filed Date: 6/25/25.
Accession Number: 20250625–5051.
Comment Date: 5 p.m. ET 7/16/25.

Docket Numbers: ER25–2618–000.
Applicants: PJM Interconnection, L.L.C.
Description: § 205(d) Rate Filing: Amendment to ISA, Service Agreement No. 6445; Queue Position No. AE2–211/AF1–057 to be effective 8/25/2025.
Filed Date: 6/25/25.
Accession Number: 20250625–5069.
Comment Date: 5 p.m. ET 7/16/25.

Docket Numbers: ER25–2619–000.
Applicants: Southwest Power Pool, Inc.
Description: § 205(d) Rate Filing: 1978R15 Evergy Kansas Central, Inc. NITSA NOA—Toronto to be effective 9/1/2025.
Filed Date: 6/25/25.
Accession Number: 20250625–5070.
Comment Date: 5 p.m. ET 7/16/25.

Docket Numbers: ER25–2620–000.
Applicants: Southwest Power Pool, Inc.
Description: § 205(d) Rate Filing: 2066R15 Evergy Kansas Central, Inc. NITSA NOA—Muscotah to be effective 9/1/2025.
Filed Date: 6/25/25.
Accession Number: 20250625–5078.
Comment Date: 5 p.m. ET 7/16/25.

Docket Numbers: ER25–2621–000.
Applicants: Southwest Power Pool, Inc.
Description: § 205(d) Rate Filing: 2491R14 Evergy Kansas Central, Inc. NITSA NOA—Scranton to be effective 9/1/2025.
Filed Date: 6/25/25.
Accession Number: 20250625–5090.
Comment Date: 5 p.m. ET 7/16/25.

Docket Numbers: ER25–2622–000.
Applicants: New York State Electric & Gas Corporation.
Description: § 205(d) Rate Filing: Rate Schedule FERC No. 87 Supplement to be effective 9/1/2025.
Filed Date: 6/25/25.
Accession Number: 20250625–5091.
Comment Date: 5 p.m. ET 7/16/25.

Docket Numbers: ER25–2623–000.
Applicants: PPL Electric Utilities Corporation.
Description: Tariff Amendment: PPL submits Notice of Termination of SA No. 6263 to be effective 8/25/2025.
Filed Date: 6/25/25.
Accession Number: 20250625–5109.
Comment Date: 5 p.m. ET 7/16/25.

Docket Numbers: ER25–2624–000.
Applicants: Tri-State Generation and Transmission Association, Inc.
Description: § 205(d) Rate Filing: Initial Filing of Rate Schedule FERC No. 419 to be effective 8/25/2025.
Filed Date: 6/25/25.
Accession Number: 20250625–5133.
Comment Date: 5 p.m. ET 7/16/25.

Docket Numbers: ER25–2625–000.
Applicants: Sky Ranch Solar, LLC.
Description: § 205(d) Rate Filing: Filing of Shared Facilities Agreement to be effective 8/1/2025.
Filed Date: 6/25/25.
Accession Number: 20250625–5134.
Comment Date: 5 p.m. ET 7/16/25.

Take notice that the Commission received the following qualifying facility filings:

Docket Numbers: QF25–349–000.

Applicants: PG Solar LLC.

Description: Updated Refund Report of PG Solar LLC.

Filed Date: 6/24/25.

Accession Number: 20250624–5866.

Comment Date: 5 p.m. ET 7/15/25.

Docket Numbers: QF25–1045–000.

Applicants: Ergon—West Virginia, Inc.

Description: Form 556 of Ergon—West Virginia, Inc.

Filed Date: 6/24/25.

Accession Number: 20250624–5868.

Comment Date: 5 p.m. ET 7/15/25.

The filings are accessible in the Commission's eLibrary system by clicking on the links or querying the docket number.

Any person desiring to intervene, to protest, or to answer a complaint in any of the above proceedings must file in accordance with Rules 211, 214, or 206 of the Commission's Regulations (18 CFR 385.211, 385.214, or 385.206) on or before 5:00 p.m. Eastern time on the specified comment date. Protests may be considered, but intervention is necessary to become a party to the proceeding.

eFiling is encouraged. More detailed information relating to filing requirements, interventions, protests, service, and qualifying facilities filings can be found at: *http://www.ferc.gov/docs-filing/efiling/filing-req.pdf.* For other information, call (866) 208–3676 (toll free). For TTY, call (202) 502–8659.

The Commission's Office of Public Participation (OPP) supports meaningful public engagement and participation in Commission proceedings. OPP can help members of the public, including landowners, community organization, 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: June 25, 2025.

Carlos D. Clay,

Deputy Secretary.

[FR Doc. 2025–12020 Filed 6–27–25; 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: OR25–9–000.

Applicants: Liquids Shippers Group.

Description: Petition of the Liquids Shippers Group for Expedited Order Initiating an Inquiry into Resubmitted Form No. 6 Reports for 2020.

Filed Date: 6/16/25.

Accession Number: 20250616–5236.

Comment Date: 5 p.m. ET 7/16/25.

Docket Numbers: RP25–966–000.

Applicants: Jay-Bee Production Company v. *Texas Gas Transmission, LLC.*

Description: Complaint of *Jay-Bee Production Company* v. *Texas Gas Transmission, LLC.*

Filed Date: 6/24/25.

Accession Number: 20250624–5770.

Comment Date: 5 p.m. ET 7/24/25.

Docket Numbers: RP25–968–000.

Applicants: Southern Natural Gas Company, L.L.C.

Description: Compliance filing: SNG Compliance Filing for TGP Lease Associated With Docket No. CP20–51–000 to be effective 7/1/2025.

Filed Date: 6/24/25.

Accession Number: 20250624–5804.

Comment Date: 5 p.m. ET 7/7/25.

Docket Numbers: RP25–969–000.

Applicants: Iroquois Gas Transmission System, L.P.

Description: § 4(d) Rate Filing: 6.25.25 Negotiated Rates—Macquarie Energy LLC R–4090–35 to be effective 7/1/2025.

Filed Date: 6/25/25.

Accession Number: 20250625–5043.

Comment Date: 5 p.m. ET 7/7/25.

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.

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Dated: June 25, 2025.

Carlos D. Clay,

Deputy Secretary.

[FR Doc. 2025–12021 Filed 6–27–25; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. CP25–491–000]

Texas Eastern Transmission, LP; Notice of Scoping Period Requesting Comments on Environmental Issues for the Proposed Appalachia to Market III Project

The staff of the Federal Energy Regulatory Commission (FERC or Commission) will prepare an environmental document, that will discuss the environmental impacts of the Appalachia to Market III Project involving construction and operation of facilities by Texas Eastern Transmission, LP (Texas Eastern) in Adams, Bedford, and York Counties, Pennsylvania. The Commission will use this environmental document in its decision-making process to determine whether the project is in the public convenience and necessity.

This notice announces the opening of the scoping process the Commission will use to gather input from the public and interested agencies regarding the project. As part of the National Environmental Policy Act (NEPA) review process, the Commission takes into account concerns the public may have about proposals and the environmental impacts that could result from its action whenever it considers the issuance of a Certificate of Public Convenience and Necessity. This gathering of public input is referred to

as ''scoping.'' The main goal of the scoping process is to focus the analysis in the environmental document on the important environmental issues. Additional information about the Commission's NEPA process is described below in the *NEPA Process and Environmental Document* section of this notice.

By this notice, the Commission requests public comments on the scope of issues to address in the environmental document. To ensure that your comments are timely and properly recorded, please submit your comments so that the Commission receives them in Washington, DC on or before 5:00 p.m. Eastern Time on July 25, 2025. Comments may be submitted in written form. Further details on how to submit comments are provided in the *Public Participation* section of this notice.

Your comments should focus on the potential environmental effects, reasonable alternatives, and measures to avoid or lessen environmental impacts. Your input will help the Commission staff determine what issues they need to evaluate in the environmental document. Commission staff will consider all written comments during the preparation of the environmental document.

If you submitted comments on this project to the Commission before the opening of this docket on May 15, 2025, you will need to file those comments in Docket No. CP25–491–000 to ensure they are considered as part of this proceeding.

This notice is being sent to the Commission's current environmental mailing list for this project. State and local government representatives should notify their constituents of this proposed project and encourage them to comment on their areas of concern.

If you are a landowner receiving this notice, a pipeline company representative may contact you about the acquisition of an easement to construct, operate, and maintain the proposed facilities. The company would seek to negotiate a mutually acceptable easement agreement. You are not required to enter into an agreement. However, if the Commission approves the project, the Natural Gas Act conveys the right of eminent domain to the company. Therefore, if you and the company do not reach an easement agreement, the pipeline company could initiate condemnation proceedings in court. In such instances, compensation would be determined by a judge in accordance with state law. The Commission does not subsequently grant, exercise, or oversee the exercise of that eminent domain authority. The courts have exclusive authority to handle eminent domain cases; the Commission has no jurisdiction over these matters.

Texas Eastern provided landowners with a fact sheet prepared by the FERC entitled ''An Interstate Natural Gas Facility On My Land? What Do I Need To Know?'' which addresses typically asked questions, including the use of eminent domain and how to participate in the Commission's proceedings. This fact sheet along with other landowner topics of interest are available for viewing on the FERC website (*www.ferc.gov*) under the Natural Gas, Landowner Topics link.

Public Participation

There are three methods you can use to submit your comments to the Commission. Please carefully follow these instructions so that your comments are properly recorded. The Commission encourages electronic filing of comments and has staff available to assist you at (866) 208–3676 or *FercOnlineSupport@ferc.gov.*

(1) You can file your comments electronically using the eComment feature, which is located on the Commission's website (*www.ferc.gov*) under the link to FERC Online. Using eComment is an easy method for submitting brief, text-only comments on a project;

(2) You can file your comments electronically by using the eFiling feature, which is also on the Commission's website (*www.ferc.gov*) under the link to FERC Online. With eFiling, you can provide comments in a variety of formats by attaching them as a file with your submission. New eFiling users must first create an account by clicking on ''eRegister.'' You will be asked to select the type of filing you are making; a comment on a particular project is considered a ''Comment on a Filing''; or

(3) You can file a paper copy of your comments by mailing them to the Commission. Be sure to reference the project docket number (CP25–491–000) on your letter. Submissions sent via the U.S. Postal Service must be addressed to: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Room 1A, Washington, DC 20426. Submissions sent via any other carrier must be addressed to: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, Maryland 20852.

Additionally, the Commission offers a free service called eSubscription which makes it easy to stay informed of all issuances and submittals regarding the dockets/projects to which you subscribe. These instant email notifications are the fastest way to receive notification and provide a link to the document files which can reduce the amount of time you spend researching proceedings. Go to *https://www.ferc.gov/ferc-online/overview* to register for eSubscription.

The Commission's Office of Public Participation (OPP) supports meaningful public engagement and participation in Commission proceedings. OPP can help members of the public, including landowners, community organizations, Tribal members and others, access publicly available information and navigate Commission processes. For public inquiries and assistance with making filings such as interventions, comments, or requests for rehearing, the public is encouraged to contact OPP at (202) 502–6595 or *OPP@ferc.gov.*

Summary of the Proposed Project

The Appalachia to Market III Project would provide about 32,000 dekatherms per day (Dth/d) from the Appalachian supply basin in Southwest Pennsylvania to delivery points in Pennsylvania. According to Texas Eastern, the project would improve reliability on its system and provide incremental transportation capacity for precedent agreements with two local gas distribution companies to help them meet growing demand.

The Appalachia to Market III Project would consist of the following facilities:

- abandon by removal about 2 miles of 24-inch-diameter idled Line 1 pipeline;
- replace the abandoned line with about 2 miles of 36-inch-diameter Line 1 pipeline;
- abandon and remove an existing pig receiver at Texas Eastern's Bakers Watering Trough Valve Site at the western terminus of the Line 1 pipeline; [1]
- construct a new pig receiver, 36-inch diameter valve, and 30-inch-diameter crossover at the eastern terminus of the Line 1 pipeline;
- modify the Bedford Compressor Station, by uprating the existing compressor unit 13E from 26,000 horsepower to 35,500 horsepower, install a new emergency shut down gas conditioning skid, and change impellers on the existing compressor units 11E and 12E; and
- install related appurtenances.

[1] A ''pig'' is a tool that the pipeline company inserts into and pushes through the pipeline for cleaning the pipeline, conducting internal inspections, or other purposes. A receiver is where pigs are retrieved from the pipeline.

The general locations of the project facilities are shown in appendix 1.[2]

Land Requirements for Construction

Construction of the proposed new aboveground facilities and the abandonment and replacement of pipeline would disturb about 45 acres of land. Following construction, Texas Eastern would convert about 1.8 acres for access roads and permanent operation of the new aboveground facilities. The remaining acreage would be restored to former uses, but would include retaining access to about 12.4 acres of pipeline right-of-way and access roads.

NEPA Process and the Environmental Document

Any environmental document issued by the Commission will discuss impacts that could occur as a result of the construction and operation of the proposed project under the relevant general resource areas:

- geology and soils;
- water resources and wetlands;
- vegetation and wildlife;
- threatened and endangered species;
- cultural resources;
- land use;
- air quality and noise; and
- reliability and safety.

Commission staff will also evaluate reasonable alternatives to the proposed project or portions of the project and make recommendations on how to lessen or avoid impacts on the various resource areas. Your comments will help Commission staff identify and focus on the issues that might have an effect on the human environment and potentially eliminate others from further study and discussion in the environmental document.

Following this scoping period, Commission staff will determine whether to prepare an Environmental Assessment (EA) or an Environmental Impact Statement (EIS). The EA or the EIS will present Commission staff's independent analysis of the issues. If Commission staff prepares an EA, a *Notice of Schedule for the Preparation of an Environmental Assessment* will be issued. The EA may be issued for an allotted public comment period. The Commission would consider timely comments on the EA before making its decision regarding the proposed project. If Commission staff prepares an EIS, a *Notice of Intent to Prepare an EIS/ Notice of Schedule* will be issued, which will open up an additional comment period. Staff will then prepare a draft EIS which will be issued for public comment. Commission staff will consider all timely comments received during the comment period on the draft EIS and revise the document, as necessary, before issuing a final EIS. Any EA or draft and final EIS will be available in electronic format in the public record through eLibrary [3] and the Commission's natural gas environmental documents web page (*https://www.ferc.gov/industries-data/natural-gas/environment/environmental-documents*). If eSubscribed, you will receive instant email notification when the environmental document is issued.

With this notice, the Commission is asking agencies with jurisdiction by law and/or special expertise with respect to the environmental issues of this project to formally cooperate in the preparation of the environmental document.[4] Agencies that would like to request cooperating agency status should follow the instructions for filing comments provided under the *Public Participation* section of this notice.

Consultation Under Section 106 of the National Historic Preservation Act

In accordance with the Advisory Council on Historic Preservation's implementing regulations for section 106 of the National Historic Preservation Act, the Commission is using this notice to initiate consultation with the applicable State Historic Preservation Office(s), and to solicit their views and those of other government agencies, interested Indian tribes, and the public on the project's potential effects on historic properties.[5] The environmental document for this project will document findings on the impacts on historic properties and summarize the status of consultations under section 106.

Environmental Mailing List

The environmental mailing list includes federal, state, and local government representatives and agencies; elected officials; Native American tribes; and local libraries and newspapers. This list also includes all affected landowners (as defined in the Commission's regulations) who are potential right-of-way grantors, whose property may be used temporarily for project purposes, or who own homes within certain distances of aboveground facilities, and anyone who submits comments on the project and includes a mailing address with their comments. Commission staff will update the environmental mailing list as the analysis proceeds to ensure that Commission notices related to this environmental review are sent to all individuals, organizations, and government entities interested in and/or potentially affected by the proposed project.

If you need to make changes to your name/address, or if you would like to remove your name from the mailing list, please complete one of the following steps:

(1) Send an email to *GasProjectAddressChange@ferc.gov* stating your request. You must include the docket number CP25–491–000 in your request. If you are requesting a change to your address, please be sure to include your name and the correct address. If you are requesting to delete your address from the mailing list, please include your name and address as it appeared on this notice. This email address is unable to accept comments.

OR

(2) Return the attached ''Mailing List Update Form'' (appendix 2).

Additional Information

Additional information about the project is available from the Commission's Office of External Affairs, at (866) 208–FERC, or on the FERC website at *www.ferc.gov* using the eLibrary link. Click on the eLibrary link, click on ''General Search'' and enter the docket number in the ''Docket Number'' field. Be sure you have selected an appropriate date range. For assistance, please contact FERC Online Support at *FercOnlineSupport@ferc.gov* or (866) 208–3676, or for TTY, contact (202) 502–8659. The eLibrary link also provides access to the texts of all formal documents issued by the Commission, such as orders, notices, and rulemakings.

Public sessions or site visits will be posted on the Commission's calendar located at *https://www.ferc.gov/news-events/events* along with other related information.

[2] The appendices referenced in this notice will not appear in the **Federal Register**. Copies of the appendices were sent to all those receiving this notice in the mail and are available at *www.ferc.gov* using the link called ''eLibrary''. For instructions on connecting to eLibrary, refer to the last page of this notice. For assistance, contact FERC at *FERCOnlineSupport@ferc.gov* or call toll free, (886) 208–3676 or TTY (202) 502–8659.

[3] For instructions on connecting to eLibrary, refer to the last page of this notice.

[4] Cooperating agency responsibilities are addressed in Section 107(a)(3) of NEPA (42 U.S.C. 4336(a)(3)).

[5] The Advisory Council on Historic Preservation's regulations are at Title 36, Code of Federal Regulations, Part 800. Those regulations define historic properties as any prehistoric or historic district, site, building, structure, or object included in or eligible for inclusion in the National Register of Historic Places.

Dated: June 25, 2025.

Debbie-Anne A. Reese,

Secretary.

[FR Doc. 2025–12107 Filed 6–27–25; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. CP25–12–000]

Rover Pipeline LLC; Notice of Availability of the Environmental Assessment for the Proposed Rover-Bulger Compressor Station and Harmon Creek Meter Station Expansion Project

The EA assesses the potential environmental effects of the construction and operation activities associated with the Project in accordance with the requirements of the National Environmental Policy Act (NEPA). The FERC staff concludes that approval of the proposed project would not constitute a major federal action significantly affecting the quality of the human environment.

The proposed Project includes the following facilities:

- one 2,750 horsepower compressor unit;
- one discharge filter separator;
- one unit blowdown silencer;
- one ultrasonic meter skid;
- one flow control skid;
- one filter separator;
- and associated interconnect piping systems.

The Commission mailed a copy of the *Notice of Availability* of the EA to federal, state, and local government representatives and agencies; elected officials; environmental and public interest groups; Native American tribes; potentially affected landowners and other interested individuals and groups; and newspapers and libraries in the project area. The EA is only available in electronic format. It may be viewed and downloaded from the FERC's website (*www.ferc.gov*), on the natural gas environmental documents page (*https://www.ferc.gov/industries-data/natural-gas/environment/environmental-documents*). In addition, the EA may be accessed by using the eLibrary link on the FERC's website. Click on the eLibrary link (*https://elibrary.ferc.gov/eLibrary/search*), select ''General Search'' and enter the docket number in the ''Docket Number'' field excluding the last three digits (*i.e.* CP25–12). Be sure you have selected an appropriate date range. For assistance, please contact FERC Online Support at *FercOnlineSupport@ferc.gov* or toll free at (866) 208–3676, or for TTY, contact (202) 502–8659.

The EA is not a decision document. It presents Commission staff's independent analysis of the environmental issues for the Commission to consider when addressing the merits of all issues in this proceeding. Any person wishing to comment on the EA may do so. Your comments should focus on the EA's disclosure and discussion of potential environmental effects, reasonable alternatives, and measures to avoid or lessen environmental impacts. The more specific your comments, the more useful they will be. To ensure that the Commission has the opportunity to consider your comments prior to making its decision on this project, it is important that we receive your comments in Washington, DC on or before 5:00 p.m. Eastern Time on July 25, 2025.

For your convenience, there are three methods you can use to file your comments to the Commission. The Commission encourages electronic filing of comments and has staff available to assist you at (866) 208–3676 or *FercOnlineSupport@ferc.gov.* Please carefully follow these instructions so that your comments are properly recorded.

(1) You can file your comments electronically using the eComment feature on the Commission's website (*www.ferc.gov*) under the link to FERC Online. This is an easy method for submitting brief, text-only comments on a project;

(2) You can also file your comments electronically using the eFiling feature on the Commission's website (*www.ferc.gov*) under the link to FERC Online. With eFiling, you can provide comments in a variety of formats by attaching them as a file with your submission. New eFiling users must first create an account by clicking on ''eRegister.'' You must select the type of filing you are making. If you are filing a comment on a particular project, please select ''Comment on a Filing''; or

(3) You can file a paper copy of your comments by mailing them to the Commission. Be sure to reference the project docket number (CP25–12–000) on your letter. Submissions sent via the U.S. Postal Service must be addressed to: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Room 1A, Washington, DC 20426. Submissions sent via any other carrier must be addressed to: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, Maryland 20852.

Filing environmental comments will not give you intervenor status, but you do not need intervenor status to have your comments considered. Only intervenors have the right to seek rehearing or judicial review of the Commission's decision. At this point in this proceeding, the timeframe for filing timely intervention requests has expired. Any person seeking to become a party to the proceeding must file a motion to intervene out-of-time pursuant to Rule 214(b)(3) and (d) of the Commission's Rules of Practice and Procedures (18 CFR 385.214(b)(3) and (d)) and show good cause why the time limitation should be waived. Motions to intervene are more fully described at *https://www.ferc.gov/how-intervene.*

Additional information about the project is available from the Commission's Office of External Affairs, at (866) 208–FERC, or on the FERC website (*www.ferc.gov*) using the eLibrary link. The eLibrary link also provides access to the texts of all formal documents issued by the Commission, such as orders, notices, and rulemakings.

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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. Go to *https://www.ferc.gov/ferc-online/overview* to register for eSubscription.

Dated: June 25, 2025.

Debbie-Anne A. Reese,

Secretary.

[FR Doc. 2025–12106 Filed 6–27–25; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. IC25–10–000]

Commission Information Collection Activities (Ferc–715); Comment Request; Extension

AGENCY: Federal Energy Regulatory Commission.

ACTION: Notice of information collection and request for comments.

SUMMARY: In compliance with the requirements of the Paperwork Reduction Act of 1995, the Federal Energy Regulatory Commission (Commission or FERC) is soliciting public comment on the currently approved information collection, FERC–715 (Annual Transmission Planning and Evaluation Report). There are no changes to the reporting requirements with this information collection. No comments were received on the 60-day notice that ended on June 23, 2025.

DATES: Comments on the collection of information are due July 30, 2025.

ADDRESSES: Send written comments on FERC–715 to OMB through *https://www.reginfo.gov/public/do/PRA/icrPublicCommentRequest?ref_nbr=202505-1902-001.* You can also visit *https://www.reginfo.gov/public/do/PRAMain* and use the drop-down under ''Currently under Review'' to select the ''Federal Energy Regulatory Commission'' where you can see the open opportunities to provide comments. Comments should be sent within 30 days of publication of this notice.

Please submit a copy of your comments to the Commission via email to *DataClearance@FERC.gov.* You must specify the Docket No. (IC25–10–000) and the FERC Information Collection number (FERC–715) in your email. If you are unable to file electronically, comments may be filed by USPS mail or by hand (including courier) delivery:

- *Mail via U.S. Postal Service Only:* Federal Energy Regulatory Commission, Secretary of the Commission, 888 First Street NE, Washington, DC 20426.
- *All other delivery methods:* Federal Energy Regulatory Commission, Secretary of the Commission, 12225 Wilkins Avenue, Rockville, MD 20852.

Docket: To view comments and issuances in this docket, please visit *https://elibrary.ferc.gov/eLibrary/search.* Once there, you can also sign-up for automatic notification of activity in this docket.

FOR FURTHER INFORMATION CONTACT: Kayla Williams, (202) 502–6468. *DataClearance@FERC.gov.*

SUPPLEMENTARY INFORMATION:

Title: FERC–715, (Annual Transmission Planning and Evaluation Report).

OMB Control No.: 1902–0171.

Type of Request: Three-year extension of the FERC–715 information collection requirements with no changes to the current reporting requirements.

Acting under section 213 of the Federal Power Act [1] and 18 CFR 141.300, FERC requires each transmitting utility that operates integrated transmission system facilities rated above 100 kilovolts (kV) to submit annually:

- Contact information;
- Base case power flow data (if the respondent does not participate in the development and use of regional power flow data);
- Transmission system maps and diagrams used by the respondent for transmission planning;
- A detailed description of the transmission planning reliability criteria used to evaluate system performance for time frames and planning horizons used in regional and corporate planning;
- A detailed description of the respondent's transmission planning assessment practices (including, but not limited to, how reliability criteria are applied and the steps taken in performing transmission planning studies); and
- A detailed evaluation of the respondent's anticipated system performance as measured against its stated reliability criteria using its stated assessment practices.

FERC–715 enables the Commission to use the information as part of their regulatory oversight functions which includes:

- The review of rates and charges;
- The disposition of jurisdictional facilities;
- The consolidation and mergers;
- The adequacy of supply and;
- Reliability of the nation's transmission grid.

FERC–715 also helps the Commission resolve transmission disputes. Additionally, the Office of Electric Reliability (OER) uses the FERC–715 data to help protect and improve the reliability and security of the nation's bulk power system. OER oversees the development and review of mandatory reliability and security standards and ensures compliance with the approved standards by the users, owners, and operators of the bulk power system. OER also monitors and addresses issues concerning the nation's bulk power system including assessments of resource adequacy and reliability.

Without the FERC–715 data, the Commission would be unable to evaluate planned projects or requests related to transmission.

Type of Respondent: Integrated transmission system facilities rated at or above 100 kilovolts (kV).

Estimate of Annual Burden: [2] The Commission estimates the total annual burden and cost [3] for this information collection as follows.

FERC–715, ANNUAL TRANSMISSION PLANNING AND EVALUATION REPORT

Type of response	Number of respondents	Annual number of responses per respondent	Total number of responses	Average burden & cost per response	Total annual burden hours & total annual cost	Cost per respondent ($)
	(1)	(2)	(1) * (2) = (3)	(4)	(3) * (4) = (5)	(5) ÷ (1)
Annual Transmission Planning and Evaluation Report.	106	1	106	80 hrs.; $8,240	8,480 hrs.; $898,880	$8,480

[1] 16 U.S.C. 824*l.*

[2] ''Burden'' is the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a federal agency. For further explanation of what is included in the information collection burden, refer to Title 5 Code of Federal Regulations 1320.3.

[3] The Commission staff estimates that the industry's hourly cost for wages plus benefits is similar to the Commission's $103.00 FY 2025 average hourly cost for wages and benefits.

Comments: Comments are invited on: (1) whether the collection of information is necessary for the proper performance of the functions of the Commission, including whether the information will have practical utility; (2) the accuracy of the agency's estimate 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.

Dated: June 25, 2025.

Debbie-Anne A. Reese,

Secretary.

[FR Doc. 2025–12108 Filed 6–27–25; 8:45 am]

BILLING CODE 6717–01–P

FEDERAL MARITIME COMMISSION

[FMC–2024–0016]

Agency Information Collection Activities: Submission for OMB Review; Comment Requested; Passenger Vessel Operators; Correction

AGENCY: Federal Maritime Commission.

ACTION: Notice; correction.

SUMMARY: The Federal Maritime Commission (FMC) published in the **Federal Register** on June 16, 2025, a notice that the FMC had submitted to the Office of Management and Budget (OMB) for clearance, a proposal for a three-year extension of a collection of information under the provisions of the Paperwork Reduction Act of 1995. This document makes a correction to that notice. The notice incorrectly stated that no changes were being made to the collection.

FOR FURTHER INFORMATION CONTACT: Robyn K. Smith, (202) 523–5818, *PVO@fmc.gov.*

SUPPLEMENTARY INFORMATION:

Correction

In the **Federal Register** of June 16, 2025, FR Doc. 2025–11027 (90 FR 25269), on page 25269, in the third column, under the **SUPPLEMENTARY INFORMATION** section, the following corrections are made:

Current Actions: Extension of a currently approved collection with change.

Type of Review: Revision of a currently approved collection.

By the Commission.

David Eng,

Secretary.

[FR Doc. 2025–12077 Filed 6–27–25; 8:45 am]

BILLING CODE 6730–02–P

FEDERAL RESERVE SYSTEM

Notice of Proposals To Engage in or To Acquire Companies Engaged in Permissible Nonbanking Activities

The companies listed in this notice have given notice under section 4 of the Bank Holding Company Act (12 U.S.C. 1843) (BHC Act) and Regulation Y, (12 CFR part 225) to engage de novo, or to acquire or control voting securities or assets of a company, including the companies listed below, that engages either directly or through a subsidiary or other company, in a nonbanking activity that is listed in § 225.28 of Regulation Y (12 CFR 225.28) or that the Board has determined by Order to be closely related to banking and permissible for bank holding companies. Unless otherwise noted, these activities will be conducted throughout the United States.

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 question whether the proposal complies with the standards of section 4 of the BHC 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.

Unless otherwise noted, comments regarding the 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 July 15, 2025.

A. Federal Reserve Bank of Kansas City (Jeffrey Imgarten, Assistant Vice President) 1 Memorial Drive, Kansas City, Missouri 64198–0001. Comments can also be sent electronically to *KCApplicationComments@kc.frb.org:*

1. *Method Bancshares, Inc., through its subsidiary, Method Asset Holding Company, LLC, both of Wyandotte, Oklahoma;* to engage in extending credit pursuant to section 225.28(b)(1) of Regulation Y, and acquiring debt in default pursuant to section 225.28(b)(2)(vii) of the Board's Regulation Y.

Board of Governors of the Federal Reserve System.

Michele Taylor Fennell,

Associate Secretary of the Board.

[FR Doc. 2025–12042 Filed 6–27–25; 8:45 am]

BILLING CODE P

FEDERAL RESERVE SYSTEM

Formations of, Acquisitions by, and Mergers of Savings and Loan Holding Companies

The companies listed in this notice have applied to the Board for approval, pursuant to the Home Owners' Loan Act (12 U.S.C. 1461 *et seq.*) (HOLA), Regulation LL (12 CFR part 238), and Regulation MM (12 CFR part 239), and all other applicable statutes and regulations to become a savings and loan holding company and/or to acquire the assets or the ownership of, control of, or the power to vote shares of a savings association.

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 whether the proposed transaction complies with the standards enumerated in the HOLA (12 U.S.C. 1467a(e)).

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 July 30, 2025.

A. Federal Reserve Bank of Philadelphia (William Spaniel, Senior Vice President) 100 North 6th Street, Philadelphia, Pennsylvania 19105–1521. Comments can also be sent electronically to *Comments.applications@phil.frb.org:*

1. *JAB Partners, Inc., whose principals include Jeffrey Brian Zwick, Bathsheba Epstein-Hersko, Steven Joseph Hersko, all of Brooklyn, New York; and Avery S. Weisz, Jackson, New Jersey;* to become a savings and loan holding company by acquiring Vecta, Inc., and thereby indirectly acquiring Sunnyside Federal Savings and Loan Association of Irvington, both of Irvington, New York.

Board of Governors of the Federal Reserve System.

Michele Taylor Fennell,

Associate Secretary of the Board.

[FR Doc. 2025–12043 Filed 6–27–25; 8:45 am]

BILLING CODE P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Medicare & Medicaid Services

[Document Identifiers: CMS–10506]

Agency Information Collection Activities: Proposed Collection; Comment Request

AGENCY: Centers for Medicare & Medicaid Services, Health and Human Services (HHS).

ACTION: Notice.

SUMMARY: The Centers for Medicare & Medicaid Services (CMS) is announcing an opportunity for the public to comment on CMS' intention to collect information from the public. Under the Paperwork Reduction Act of 1995 (PRA), federal agencies are required to publish notice in the **Federal Register** concerning each proposed collection of information (including each proposed extension or reinstatement of an existing collection of information) and to allow 60 days for public comment on the proposed action. Interested persons are invited to send comments regarding our burden estimates or any other aspect of this collection of information, including the necessity and utility of the proposed information collection for the proper performance of the agency's functions, the accuracy of the estimated burden, ways to enhance the quality, utility, and clarity of the information to be collected, and the use of automated collection techniques or other forms of information technology to minimize the information collection burden.

DATES: Comments must be received by August 29, 2025.

ADDRESSES: When commenting, please reference the document identifier or OMB control number. To be assured consideration, comments and recommendations must be submitted in any one of the following ways:

1. *Electronically.* You may send your comments electronically to *http://www.regulations.gov.* Follow the instructions for ''Comment or Submission'' or ''More Search Options'' to find the information collection document(s) that are accepting comments.

2. *By regular mail.* You may mail written comments to the following address: CMS, Office of Strategic Operations and Regulatory Affairs, Division of Regulations Development, Attention: Document Identifier/OMB Control Number: _____, Room C4–26–05, 7500 Security Boulevard, Baltimore, Maryland 21244–1850.

To obtain copies of a supporting statement and any related forms for the proposed collection(s) summarized in this notice, please access the CMS PRA website by copying and pasting the following web address into your web browser: *https://www.cms.gov/Regulations-and-Guidance/Legislation/PaperworkReductionActof1995/PRA-Listing.*

FOR FURTHER INFORMATION CONTACT: William N. Parham at (410) 786–4669.

SUPPLEMENTARY INFORMATION:

Contents

This notice sets out a summary of the use and burden associated with the following information collections. More detailed information can be found in each collection's supporting statement and associated materials (see **ADDRESSES**).

CMS–10506 Conditions of Participation for Community Mental Health Centers and Supporting Regulations

Under the PRA (44 U.S.C. 3501–3520), federal agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. The term ''collection of information'' is defined in 44 U.S.C. 3502(3) and 5 CFR 1320.3(c) and includes 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 the PRA requires federal agencies to publish a 60-day notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension or reinstatement of an existing collection of information, before submitting the collection to OMB for approval. To comply with this requirement, CMS is publishing this notice.

Information Collections

1. *Type of Information Collection Request:* Reinstatement with change of a previously approved collection; *Title of Information Collection:* Conditions of Participation for Community Mental Health Centers and Supporting Regulations; *Use:* The purpose of this package is to request a re-instatement with change to the Office of Management and Budget (OMB) of the collection of information requirements associated with the conditions of participation (CoPs) that Community Mental Health Centers (CMHCs) must meet to participate in the Medicare program.

On October 29, 2013, we published CoPs, for CMHCs (78 FR 64630). The CoPs included the following: *Personnel qualifications* (§ 485.904); *Client Rights* (§ 485.910); *Admission, Initial Evaluation, Comprehensive Assessment, and Discharge or Transfer of the Client* (§ 485.914*); Treatment Team, Active Treatment Plan, and Coordination of Services* (§ 485.916); *Quality Assessment and Performance Improvement* (§ 485.917); and *Organization, Governance, Administration of Services, and Partial Hospitalization Services* (§ 485.918). We finalized emergency preparedness requirements for CMHCs (§ 485.920) in the ''2016 Emergency Preparedness (EP) Final Rule'' published on September 16, 2016 (81 FR 63921). The information collections associated the EP CoPs requirements can be found under OMB Control Number 0938–1325.

On September 30, 2019, we published final rule, ''*Medicare and Medicaid Programs; Regulatory Provisions to Promote Program Efficiency, Transparency, and Burden Reduction; Fire Safety Requirements for Certain Dialysis Facilities; Hospital and Critical Access Hospital (CAH) Changes to Promote Innovation, Flexibility, and Improvement in Patient Care,*'' which revised the CMHC CoPs at § 485.914 (84 FR 51829, 51752 through 51754).

We finalized revisions to the CMHC CoPs in the ''CY 2024 Hospital

Outpatient Prospective Payment and Ambulatory Surgical Center Payment Systems Final Rule,'' published on November 22, 2023 (88 FR 81540, 82076 through 82079). This final rule revised the following conditions of participation: *Personnel qualifications* (§ 485.904), *Admission, Initial Evaluation, Comprehensive Assessment, and Discharge or Transfer of the Client* (§ 485.914); *Treatment Team, Person-Centered Active Treatment Plan, and Coordination of Services* (§ 485.916); and *Organization, Governance, Administration of Services, Partial Hospitalization Services* (§ 485.918).

Medicare Part B covers partial hospitalization (PHP) services and intensive outpatient (IOP) services furnished by or under arrangements made by the CMHC if they are provided by a CMHC as defined in 42 CFR 410.110. Section 4162 of the Omnibus Budget Reconciliation Act of 1990 (OBRA 1990) (Pub. L. 101–508) amended sections 1832(a)(2) and 1861(ff)(3) of the Act to allow CMHCs to provide PHP services. Furthermore, the Consolidated Appropriations Act (CAA), 2023 (Pub. L. 117–238) established in section 4124 coverage of IOP services in CMHCs. The legislation extended Medicare coverage and payment of IOP services furnished by a CMHC beginning January 1, 2024, adding to the existing coverage and payment for PHP services in CMHCs. Section 4121 of the CAA, 2023 also established a new Medicare benefit category for services furnished and directly billed by Mental Health Counselors (MHCs) and Marriage and Family Therapists (MFTs).

The services provided by CMHCs must be furnished by, or under arrangement with a CMHC participating in the Medicare program. They must include the following:

- Prescribed by a physician and furnished under the general supervision of a physician.
- Subject to certification by a physician in accordance with 42 CFR 424.24(e)(1).
- Furnished under a treatment plan that meets the requirements of 42 CFR 424.24(e)(2).
- Provides outpatient services, including specialized outpatient services for children, elderly individuals, individuals with serious mental illness, and residents of its mental health service area who have been discharged from inpatient mental health facilities.
- Provides 24-hour-a-day emergency care services.
- Provides day treatment, partial hospitalization services (PHP) or intensive outpatient services (IOP) other than an individual's home or in an inpatient or residential setting, or psychosocial rehabilitation services.
- Provides screening for clients being considered for admission to State mental health facilities to determine the appropriateness of such services unless otherwise directed by State law.
- Meets applicable licensing or certification requirements for CMHCs in the state in which it is located.
- Provides at least 40 percent of its services to individuals who are not eligible for benefits under title XVIII of the Act.

We collect information on several health and safety aspects, such as *Client rights* (§ 485.910) *active treatment plans* (§ 485.916), *Quality assessment and performance improvement* (§ 485.917), and *governance* (§ 485.918).

The primary users of this information will be Federal and State agency surveyors for determining through the survey process, whether a CMHC qualifies for approval or re-approval under Medicare. CMS and its contractors will use this information to review claims to determine whether the patient is eligible for the PHP or IOP benefit and whether the claim meets the criteria for coverage and Medicare payment. Lastly, the information will be used by CMHCs to ensure their own compliance with all requirements to assist in guiding their patient care and quality programs. *Form Number:* CMS–10506 (OMB control number: 0938–1245); *Frequency:* Occasionally; *Affected Public:* Private sector—Business or other for-profits and Not-for-profit organizations; *Number of Respondents:* 1,475; *Total Annual Responses:* 7,420; *Total Annual Hours:* 1,434. (For policy questions regarding this collection contact Claudia Molinar at 410–786–8445.)

William N. Parham, III,

Director, Division of Information Collections and Regulatory Impacts, Office of Strategic Operations and Regulatory Affairs.

[FR Doc. 2025–12149 Filed 6–27–25; 8:45 am]

BILLING CODE 4120–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Medicare & Medicaid Services

[Document Identifiers: CMS–10849]

Agency Information Collection Activities: Proposed Collection; Comment Request

AGENCY: Centers for Medicare & Medicaid Services, Health and Human Services (HHS).

ACTION: Notice.

SUMMARY: The Centers for Medicare & Medicaid Services (CMS) is announcing an opportunity for the public to comment on CMS' intention to collect information from the public. Under the Paperwork Reduction Act of 1995 (PRA), federal agencies are required to publish notice in the **Federal Register** concerning each proposed collection of information (including each proposed extension or reinstatement of an existing collection of information) and to allow 60 days for public comment on the proposed action. Interested persons are invited to send comments regarding our burden estimates or any other aspect of this collection of information, including the necessity and utility of the proposed information collection for the proper performance of the agency's functions, the accuracy of the estimated burden, ways to enhance the quality, utility, and clarity of the information to be collected, and the use of automated collection techniques or other forms of information technology to minimize the information collection burden.

DATES: Comments must be received by August 29, 2025.

ADDRESSES: When commenting, please reference the document identifier or OMB control number. To be assured consideration, comments and recommendations must be submitted in any one of the following ways:

1. *Electronically.* You may send your comments electronically to *http://www.regulations.gov.* Follow the instructions for ''Comment or Submission'' or ''More Search Options'' to find the information collection document(s) that are accepting comments.

2. By *regular mail.* You may mail written comments to the following address: CMS, Office of Strategic Operations and Regulatory Affairs, Division of Regulations Development, Attention: Document Identifier/OMB Control Number: _____, Room C4–26–05, 7500 Security Boulevard, Baltimore, Maryland 21244–1850.

To obtain copies of a supporting statement and any related forms for the proposed collection(s) summarized in this notice, please access the CMS PRA website by copying and pasting the following web address into your web browser: *https://www.cms.gov/Regulations-and-Guidance/Legislation/PaperworkReductionActof1995/PRA-Listing.*

FOR FURTHER INFORMATION CONTACT: William N. Parham at (410) 786–4669.

SUPPLEMENTARY INFORMATION:

Contents

This notice sets out a summary of the use and burden associated with the following information collections. More detailed information can be found in each collection's supporting statement and associated materials (see **ADDRESSES**).

CMS–10849 Drug Price Negotiation for Initial Price Applicability Year 2028 under Sections 11001 and 11002 of the Inflation Reduction Act Information Collection Request

Under the PRA (44 U.S.C. 3501–3520), federal agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. The term ''collection of information'' is defined in 44 U.S.C. 3502(3) and 5 CFR 1320.3(c) and includes 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 the PRA requires federal agencies to publish a 60-day notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension or reinstatement of an existing collection of information, before submitting the collection to OMB for approval. To comply with this requirement, CMS is publishing this notice.

Information Collections

1. *Type of Information Collection Request:* Revision of a currently approved collection; *Title of Information Collection:* Drug Price Negotiation for Initial Price Applicability Year 2028 under Sections 11001 and 11002 of the Inflation Reduction Act Information Collection Request (ICR) (CMS–10849, OMB 0938–1452); *Use:* Under the authority in sections 11001 and 11002 of the Inflation Reduction Act of 2022 (Pub. L. 117–169), the Centers for Medicare & Medicaid Services (CMS) is implementing the Medicare Drug Price Negotiation Program, codified in sections 1191 through 1198 of the Social Security Act (''the Act''). The Act establishes the Negotiation Program to negotiate maximum fair prices (''MFPs''), defined at 1191(c)(3) of the Act, for certain high expenditure, single source selected drugs covered under Medicare Part B and Part D. For the third cycle of the Negotiation Program, the Secretary of Health and Human Services (the ''Secretary'') will select up to 15 high expenditure, single source drugs payable under Part B and/or covered under Part D for negotiation. In accordance with section 1194(f)(4) of the Act, CMS will also renegotiate MFPs for drugs selected for renegotiation, if any, for initial price applicability year 2028.

Negotiation Data Elements: The statute requires that CMS consider certain data from Primary Manufacturers as part of the negotiation process. To the extent that more than one entity meets the statutory definition of manufacturer (specified in section 1193(a)(1) of the Act) for a selected drug for purposes of initial price applicability year 2028, CMS will designate the entity that holds the New Drug Application(s) (NDA(s))/Biologics License Application(s) (BLA(s)) for the selected drug to be ''the manufacturer'' of the selected drug (hereinafter the ''Primary Manufacturer''). The Primary Manufacturer's data submissions include the non-Federal average manufacturer price and related data for selected drugs for the purpose of establishing a ceiling price, as outlined in section 1193(a)(4)(A) of the Act, and information that the Secretary requires, pertaining to the negotiation factors outlined in section 1194(e)(1) of the Act, for the purpose of formulating offers and counteroffers pursuant to section 1193(a)(4)(B) of the Act. Some of these data are held by the Primary Manufacturer and are not currently available to CMS. Data described in sections 1194(e)(1) and 1193(a)(4) of the Act must be submitted by the Primary Manufacturer.

Section 1194(e)(2) of the Act requires CMS to consider certain data on selected drugs and their alternative treatments. Because the statute does not specify where these data come from, CMS will allow for optional submission from Primary Manufacturers and the public for drugs selected for negotiation or renegotiation. CMS will additionally review existing literature, conduct internal analyses, and consult subject matter and clinical experts on the factors listed in section 1194(e)(2) of the Act. Manufacturers may optionally submit this information as part of their Negotiation Data Elements Information Collection Request Form. The public may also optionally submit evidence about the selected drugs and their alternative treatments.

Drug Price Negotiation and Renegotiation Process: Any MFPs that are negotiated or renegotiated for these selected drugs will apply beginning in initial price applicability year 2028. For initial price applicability year 2028, the negotiation and renegotiation period begins on the earlier of the date that the Primary Manufacturer enters into a Medicare Drug Price Negotiation Program Agreement or February 28, 2026.

Section 1194(b)(2)(C) of the Act provides that if the Primary Manufacturer does not accept CMS' written initial offer, the Primary Manufacturer may submit an optional written counteroffer no later than 30 days after the date of receipt of CMS' written initial offer. If the Primary Manufacturer chooses to develop and submit a written counteroffer to CMS' written initial offer during the drug price negotiation or renegotiation process for initial price applicability year 2028, the Primary Manufacturer must submit the Counteroffer Form. *Form Number:* CMS–10849 (OMB control number: 0938–1452); *Frequency:* Once; *Affected Public:* Private sector, Business or other for-profit; *Number of Respondents:* 405; *Number of Responses:* 405; *Total Annual Hours:* 51,940. (For questions regarding this collection, contact Elisabeth Daniel at 667–290–8793.)

William N. Parham, III,

Director, Division of Information Collections and Regulatory Impacts, Office of Strategic Operations and Regulatory Affairs.

[FR Doc. 2025–11979 Filed 6–27–25; 8:45 am]

BILLING CODE 4120–01–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; DP1 Catalyst—HIV Comorbidities, Coinfections, and Complications.
Date: July 28, 2025.
Time: 1:00 p.m. to 4:00 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: Anuja Mathew, Ph.D., Scientific Review Officer, NIAID/SRP BG 5601FL RM 3G58, 5601 Fishers Lane, Rockville, MD 20852, (301) 761–6911, *anuja.mathew@nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; PAR Panel: Topics in HIV-Related Investigator Initiated Clinical Trials.
Date: July 30, 2025.
Time: 11:00 a.m. to 3:00 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: Lee G Klinkenberg, Ph.D., Primary is AI, Scientific Review Program, Division of Extramural Activities, National Institutes of Health, NIAID, Rockville, MD 20892, 301–761–7749, *lee.klinkenberg@nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; RFA–DK–25–021: Cellular Models of HIV Pathogenesis.
Date: July 30, 2025.
Time: 11:00 a.m. to 4:00 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: Santanu Banerjee, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 2106, Bethesda, MD 20892, (301) 435–5947, *banerjees5@mail.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Program Project: NIDCD Clinical Research Center Grant Review.
Date: July 30–31, 2025.
Time: 1:00 p.m. to 4:00 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: Andrea B Kelly, Ph.D., Scientific Review Officer, NIDCD, National Institutes of Health, 6001 Executive Blvd., Room 8343, Rockville, MD 20852, (301) 451–6339, *kellya2@mail.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Sensory-Motor Systems.
Date: July 30, 2025.
Time: 2:00 p.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: Kirk Thompson, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5184, MSC 7844, Bethesda, MD 20892, 301–435–1242, *kgt@mail.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Member Conflict: Health Services and Systems—Risks, Interventions, and Outcomes.
Date: July 31, 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: Shiv A. Prasad, Ph.D., Scientific Review Officer, Scientific Review Program, Division of Extramural Activities, National Institutes of Health, NIAID, Rockville, MD 20892, *shiv.prasad@nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; RFA Panel: BRAIN development of novel brain function tools.
Date: July 31, 2025.
Time: 9:30 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: Victor Henriquez, Ph.D., Scientific Review Officer. National Center for Advancing Translational Sciences (NCATS), National Institutes of Health, 6701 Democracy Blvd., Democracy 1, Room 1066, Bethesda, MD 20892–4878, (301) 435–0813, *victor.henriquez@nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; PAR Panel: Complementary and Integrative Health Approaches and Mind and Body Interventions.
Date: July 31, 2025.
Time: 9:30 a.m. to 4:00 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: Cheryl K Nordstrom, Ph.D., MPH, Scientific Review Officer, NIDDK/Scientific Review Branch, National Institutes of Health, 6707 Democracy Blvd., Room 7013, Bethesda, MD 20892, 301–402–6711, *cheryl.nordstrom@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: June 26, 2025.

Bruce A. George,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2025–12027 Filed 6–27–25; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Eunice Kennedy Shriver National Institute of Child Health & Human Development; Notice of Meeting

Pursuant to section 1009 of the Federal Advisory Committee Act, as amended, notice is hereby given of a meeting of the Board of Scientific Counselors *Eunice Kennedy Shriver* National Institute of Child Health and Human Development.

The meeting will be open to the public as indicated below, with attendance limited to space available. Individuals who plan to attend and need special assistance, such as sign language interpretation or other reasonable accommodations, should notify the Contact Person listed below in advance of the meeting. The meeting can be accessed from the NIH Videocast at the following link: *https://videocast.nih.gov/.*

The meeting will be closed to the public as indicated below in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended for the review, discussion, and evaluation of individual grant applications conducted by the *Eunice Kennedy Shriver* National Institute of Child Health & Human Development, including consideration of personnel qualifications and performance, and the competence of individual investigators, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: Board of Scientific Counselors *Eunice Kennedy Shriver* National Institute of Child Health and Human Development.
Date: December 5, 2025.
Open: 10:00 a.m. to 12:40 p.m.
Agenda: Scientific Director's Report on the status of the NICHD Division of Intramural Research and current organizational structure.
Address: Eunice Kennedy Shriver National Institute of Child Health and Human Development, National Institutes of Health, 31 Center Drive, Room 2A03, Bethesda, MD 20892 (Virtual Meeting).
Closed: 12:40 p.m. to 2:45 p.m.
Agenda: Confidential Discussions; To review and evaluate personnel qualifications and performance, and competence of individual investigators.

Address: Eunice Kennedy Shriver National Institute of Child Health and Human Development, National Institutes of Health, Building 31, Room 2A03, Bethesda, MD 20892 (Virtual Meeting).

Contact Person: Chris J. McBain, Ph.D., Scientific Director *Eunice Kennedy Shriver* National Institute of Child Health and Human Development, National Institutes of Health, 31 Center Drive, Room 2A03, Bethesda, MD 20892, (301) 594–5984, *mcbainc@mail.nih.gov*.

Information is also available on the Institute's/Center's home page: *https://www.nichd.nih.gov/about/advisory/bsc,* where an agenda and any additional information for the meeting will be posted when available.

(Catalogue of Federal Domestic Assistance Program Nos. 93.864, Population Research; 93.865, Research for Mothers and Children; 93.929, Center for Medical Rehabilitation Research; 93.209, Contraception and Infertility Loan Repayment Program, National Institutes of Health, HHS)

Dated: June 26, 2025.

Bruce A. George,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2025–12029 Filed 6–27–25; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Center for Scientific Review; Notice of Closed Meetings

Pursuant to section 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; Member Conflict: Skin, Oral and Dental Sciences.

Date: July 28, 2025.

Time: 10:00 a.m. to 7:00 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: Chiguang Feng, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20817, (240) 552–4787, *chiguang.feng@nih.gov*.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Member Conflict: Musculoskeletal Sciences.

Date: July 29–30, 2025.

Time: 10:00 a.m. to 5:00 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: Kan Ma, Ph.D., Scientific Review Officer, Scientific Review Branch, National Institute of Arthritis, Musculoskeletal and Skin Diseases, NIH, 6701 Democracy Boulevard, Suite 814, Bethesda, MD 20892, 301–451–4838, *mak2@mail.nih.gov*.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Member Conflict: Topics in Kidney, Urology, and Hematology.

Date: July 29–30, 2025.

Time: 10:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Jason D. Hoffert, Ph.D., Scientific Review Officer, Review Branch, DEA, NIDDK, National Institutes of Health, Room 7343, 6707 Democracy Boulevard, Bethesda, MD 20817, 301–496–9010, *hoffertj@niddk.nih.gov*.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Small Business: Microbial and Autoimmune Diagnostics.

Date: July 29, 2025.

Time: 10:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Jennifer Hartt Meyers, Ph.D., Scientific Review Program, DEA/NIAID/NIH/DHHS, 5601 Fishers Lane, MSC–9823, Rockville, MD 20852, 301–761–6602, *jennifer.meyers@nih.gov*.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Small Business: Addressing Challenges in Detecting New Drugs: Instrumentation for Alternative Analytical Methods.

Date: July 29, 2025.

Time: 11:00 a.m. to 3:00 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: Sudhirkumar U. Yanpallewar, MD, Scientific Review Officer, Scientific Review Branch, National Institute on Drug Abuse, 301 North Stonestreet Avenue, Bethesda, MD 20892, (301) 443–4577, *sudhirkumar.yanpallewar@nih.gov*.

Name of Committee: Center for Scientific Review Special Emphasis Panel; RFA–AI–24–023: U.S.-South Africa Program for Collaborative Biomedical Research—Phase 3 (HIV/AIDS) (R01 Clinical Trial Optional).

Date: July 29, 2025.

Time: 1:00 p.m. to 5:00 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: Lee G. Klinkenberg, Ph.D., Primary is AI Scientific Review Program, Division of Extramural Activities, National Institutes of Health, NIAID, 31 Center Drive, Rockville, MD 20892, 301–761–7749, *lee.klinkenberg@nih.gov*.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Training in Veterinary and Comparative Medicine proposal review.

Date: July 29, 2025.

Time: 12:00 p.m. to 3:00 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: John Harold Laity, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (301) 402–8254, *laityjh@csr.nih.gov*.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Mental Health Services and Interventions.

Date: July 30, 2025.

Time: 8:00 a.m. to 7:00 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: Claudio Dario Ortiz, Scientific Review Officer, Division of Extramural Activities, National Institute of Mental Health, National Institutes of Health, 6001 Executive Boulevard, Bethesda, MD 20892, (240) 869–9245, *claudio.ortiz@nih.gov*.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Training in Neurobiology of Disease, Psychopathology, and Molecular Processes.

Date: July 30–31, 2025.

Time: 9:00 a.m. to 7:00 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: Dario Dieguez, Ph.D., Scientific Review Officer, SRB Scientific Review Branch, National Institute on Aging, National Institutes of Health, 5601 Fishers Lane, Suite 8B, Rockville, MD 20892, (301) 827–3101, *dario.dieguez@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: June 26, 2025.

Bruce A. George,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2025–12028 Filed 6–27–25; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Center for Scientific Review; Notice of Closed Meetings

Pursuant to section 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; PAR Panel: R03 Musculoskeletal, Skin, Oral and Dental Sciences.

Date: July 30–31, 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: Yun Mei, MD, Scientific Review Officer, Scientific Review Branch, NIDCR National Institutes of Health, 6701 Democracy Boulevard, Suite #672, Bethesda, MD 20892, 301–827–4639, *yun.mei@nih.gov*.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Integrated Respiratory Research.

Date: July 30, 2025.

Time: 9:00 a.m. to 7:30 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: Prashant Sharma, Ph.D., Scientific Review Officer, Special Review Branch, Division of Extramural Activities, 9609 Medical Center Drive, Room 7W1612, National Cancer Institute, NIH, Rockville, MD 20850, (240) 275–6351, *prashant.sharma@nih.gov*.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Member Conflict: Advancing Therapeutics.

Date: July 30, 2025.

Time: 9:30 a.m. to 12:30 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: Michael James Knapp, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (301) 402–0600, *mike.knapp@nih.gov*.

Name of Committee: Center for Scientific Review Special Emphasis Panel; RFA Panel: Biospecimen Science Technologies for Basic and Clinical Cancer.

Date: July 30, 2025.

Time: 10:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Wing-hang Tong, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (302) 402–0360, *tongw@mail.nih.gov*.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Biobehavioral Processes.

Date: July 30, 2025.

Time: 10:00 a.m. to 5:00 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: Devon Rene Oskvig, Ph.D., Scientific Review Officer, Division of Extramural Research, National Institute on Drug Abuse, 11601 Landsdown Street, Suite 3WF, Rockville, MD 20852, (301) 402–6965, *devon.oskvig@nih.gov*.

Name of Committee: Center for Scientific Review Special Emphasis Panel; PAR Panel: Clinical and Translational Exploratory/Developmental Studies.

Date: July 30–31, 2025.

Time: 10:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Susan Lynn Spence, Ph.D., Scientific Review Officer, Research Technology and Contract Review Branch, Division of Extramural Activities, 9609 Medical Center Drive, Rm. 7W126, National Cancer Institute, NIH, Rockville, MD 20850, *susan.spence@nih.gov*.

Name of Committee: Center for Scientific Review Special Emphasis Panel; RFA Panel: Single Cell Opioid Responses in the Context of HIV (SCORCH) Program: Data Mining and Functional Validation.

Date: July 30, 2025.

Time: 10:00 a.m. to 4:00 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: Caitlin Elizabeth Angela Moyer, Ph.D., Scientific Review Officer, Scientific Review Branch, National Institute on Drug Abuse, NIH, 301 North Stonestreet Avenue, MSC 6021, Bethesda, MD 20892, (301) 443–4577, *caitlin.moyer@nih.gov*.

Name of Committee: Center for Scientific Review Special Emphasis Panel; RFA–AI–24–069 Centers for Accelerating Phage (Bacteriophage) Therapy to Combat ESKAPE Pathogens (CAPT–CEP) (P01 Clinical Trial Not Allowed).

Date: July 30–31, 2025.

Time: 10:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Soheyla Saadi, Ph.D., Scientific Review Program, DEA/NIAID/NIH/DHHS, 5601 Fishers Lane, MSC–9823, Rockville, MD 20892, (240) 669–5178, *saadisoh@niaid.nih.gov*.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Research Enhancement Awards: Molecular Genetics, Cellular and Cancer Biology.

Date: July 30, 2025.

Time: 11:00 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: Lisa A. Dunbar, Ph.D., Scientific Review Officer, Office of Scientific Review, National Institute of General Medical Sciences, National Institutes of Health, 45 Center Drive, Room 3AN12, Bethesda, MD 20892, *dunbarl@mail.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: June 26, 2025.

Bruce A. George,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2025–12031 Filed 6–27–25; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR–7092–N 16; OMB Control No: 2501–0042]

30-Day Notice of Proposed Information Collection: Section 3 Reporting

AGENCY: Office of Policy Development and Research, Chief Data Officer, HUD.

ACTION: Notice.

SUMMARY: HUD is seeking approval from the Office of Management and Budget (OMB) for the information collection described below. In accordance with the Paperwork Reduction Act, HUD is requesting comments from all interested parties on the proposed collection of information. The purpose of this notice is to allow for 30 days of public comment.

DATES: *Comments Due Date:* July 30, 2025.

ADDRESSES: Interested persons are invited to submit comments regarding this proposal. Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to *www.reginfo.gov/public/do/PRAMain.* Find this particular information collection by selecting ''Currently under 30-day Review—Open for Public Comments'' or by using the search function.

FOR FURTHER INFORMATION CONTACT: Anna Guido, Clearance Officer, Paperwork Reduction Act Division, PRAD, Department of Housing and Urban Development, 451 7th Street SW, Room 8210, Washington, DC 20410; email at *Anna.P.Guido@hud.gov,* telephone (202) 402–5535. This is not a toll-free number. HUD welcomes and is prepared to receive calls from individuals who are deaf or hard of hearing, as well as individuals with speech or communication disabilities. To learn more about how to make an accessible telephone call, please visit *https://www.fcc.gov/consumers/guides/telecommunications-relay-service-trs.*

Copies of available documents submitted to OMB may be obtained from Ms. Guido.

SUPPLEMENTARY INFORMATION: This notice informs the public that HUD is seeking approval from OMB for the information collection described in Section A. The **Federal Register** notice that solicited public comment on the information collection for a period of 60 days was published on June 10, 2024 at 89 FR 48912.

A. Overview of Information Collection

Title of Information Collection: Section 3 Reporting.

OMB Approval Number: 2501–0042.

Type of Request: Reinistatement of a currently approved collection.

Form Number: HUD Form 60002–A.

Description of the need for the information and proposed use: This form is used to collect information from recipients of HUD financial assistance (*i.e.* public housing agencies, municipalities and property owners) to report the amount of labor hours provided to low- and very-low income individuals that have been generated from HUD financial assistance annually on the benchmarks required to achieve compliance with Section 3.

Information collection	Number of respondents	Frequency of response	Responses per annum	Burden hour per response	Annual burden hours	Hourly cost per response	Annual cost
Business Registry/Opportunity Portal	6,000.00	1.00	6,000.00	1.00	6,000.00	$57.53	$345,180.00
HUD Form 60002–A	4,283.00	1.00	4,283.00	3.00	12,849.00	22.90	294,242.10
Total	10,283.00			4.00	18,849.00		639,422.10

B. Solicitation of Public Comment

This notice is soliciting comments from members of the public and affected parties concerning the collection of information described in Section A on the following:

(1) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(2) The accuracy of the agency's estimate of the burden of the proposed collection of information;

(3) Ways to enhance the quality, utility, and clarity of the information to be collected; and

(4) Ways to minimize the burden of the collection of information on those who are to respond; including through the use of appropriate automated collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of responses.

HUD encourages interested parties to submit comment in response to these questions.

C. Authority

Section 2 of the Paperwork Reduction Act of 1995, 44 U.S.C. 3507.

Anna Guido,

Department Clearance Officer, Office of Policy Development and Research, Chief Data Officer.

[FR Doc. 2025–12030 Filed 6–27–25; 8:45 am]

BILLING CODE 4210–67–P

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

[256A2100DD/AAKC001030/A0A501010.000000]

Indian Gaming; Approval by Operation of Law of the Fourth Amendment to the Oneida Nation and the State of Wisconsin Gaming Compact of 1991

AGENCY: Bureau of Indian Affairs, Interior.

ACTION: Notice.

SUMMARY: This notice announces the approval by operation of law of the fourth amendment to the Tribal-State compact for class III gaming between the Oneida Nation and the State of Wisconsin governing the operation and regulation of class III gaming activities. The amendment increases the Tribe's allowable deduction from its annual revenue sharing payment to the State for monetary and in-kind contributions to eligible county and local government entities for projects identified in the amendment.

DATES: The amendment takes effect on June 30, 2025.

FOR FURTHER INFORMATION CONTACT: Mr. Philip A. Bristol, Acting Director, Office of Indian Gaming, Office of the Assistant Secretary—Indian Affairs, Washington, DC 20240, *IndianGaming@bia.gov;* (202) 219–4066.

SUPPLEMENTARY INFORMATION: The Indian Gaming Regulatory Act of 1988, 25 U.S.C. 2701 *et seq.,* (IGRA) provides the Secretary of the Interior (Secretary) with 45 days to review and approve or disapprove the Tribal-State compact governing the conduct of class III gaming activity on the Tribe's Indian lands. *See* 25 U.S.C. 2710(d)(8). If the Secretary does not approve or disapprove a Tribal-State compact within the 45 days, IGRA provides the Tribal-State compact is considered to have been approved by the Secretary, but only to the extent the compact is

consistent with IGRA. *See* 25 U.S.C. 2710(d)(8)(D). The IGRA also requires the Secretary to publish in the **Federal Register** notice of the approved Tribal-State compacts for the purpose of engaging in class III gaming activities on Indian lands. *See* 25 U.S.C. (d)(8)(D). As required by 25 CFR 293.4, all compacts and amendments are subject to review and approval by the Secretary. The Amendment increases the Tribe's allowable deduction from its annual revenue sharing payment to the State for monetary and in-kind contributions to eligible county and local government entities for projects identified in the amendment. The Secretary took no action on the fourth amendment to the Tribal-State compact for class III gaming between the Oneida Nation and the State of Wisconsin. Therefore, the amendment is considered to have been approved, but only to the extent it is consistent with IGRA. See 25 U.S.C. 2710(d)(8)(C).

Scott J. Davis,

Senior Advisor to the Secretary of the Interior, Exercising the delegated authority of the Assistant Secretary—Indian Affairs.

[FR Doc. 2025–12057 Filed 6–27–25; 8:45 am]

BILLING CODE 4337–15–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NRNHL–DTS#–40417; 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 June 7, 2025, for listing or related actions in the National Register of Historic Places.

DATES: Comments should be submitted electronically by July 15, 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 June 7, 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.

CALIFORNIA

El Dorado County

Coloma Community Hall, 319 CA 49, Coloma, SG100012016

Los Angeles County

University High School Administration Building, (Asian Americans and Pacific Islanders in California, 1850–1995 MPS), 11800 Texas Avenue, Los Angeles, MP100012003

Placer County

Westphal, Laura Russ, House, 2540 West Lake Boulevard, Homewood, SG100012018

COLORADO

Arapahoe County

South Dahlia Lane, 2401–2465 (odd numbers) South Dahlia Lane, Denver, SG100012015

GEORGIA

Dougherty County

Downtown Albany Commercial Historic District, The district is roughly bound by Oglethorpe Alley on the south, Front Street on the east. Roosevelt Avenue on the north, and Jefferson Street on the west, Albany, SG100012022

McDuffie County

Thomson Commercial Historic District (Boundary Increase and Decrease), Roughly bounded by Journal St., Greenway St., Railroad St., Hendricks St., and Church St., Thomson, BC100012006

MARYLAND

Prince George's County

Eagle Harbor Historic District, (African-American Historic Resources of Prince George's County, Maryland), Roughly bounded by the Patuxent River, Oak Trail, the southern portion of Hawkins Drive, Lincoln Park and Lincoln and Walnut Drives, Trueman Point Road/Eagle Harbor Road, and the northwest boundary with Cedar Haven, Eagle Harbor, MP100012009

Talbot County

Fond Hope, (Women In Maryland Architecture, 1920–1970 MPS), 27283 Baileys Neck Rd., Easton, MP100012008

MONTANA

Cascade County

Albright Historic District, 38 Evans Riceville Road, Belt, SG100012017

OHIO

Belmont County

Epworth Park Historic District, 215 N Main Street, Bethesda, SG100012004

Summit County

Homeier-Universal Motor Company Building, 816 E Market Street, Akron, SG100012019

Trumbull County

Newton Falls Downtown Historic District, Broad Street, roughly bounded by Canal and Center Streets, Newton Falls, SG100012005

UTAH

Carbon County

Toovuhsuhvooch Archaeological District, (Nine Mile Canyon, Utah MPS), Address Restricted, Wellington vicinity, MP100012021

Tooele County

Clover Ward LDS Meetinghouse, 630 S West Shambip Rd., Rush Valley, SG100012012

Washington County

Springdale Hilltop Cemetery, 110 Winderland Lane, Springdale, SG100012025

WISCONSIN

Marquette County

St. John's Evangelical Lutheran Church, W3005–W3008 County Road E, Crystal Lake, SG100012024

A request for removal has been made for the following resource(s):

SOUTH CAROLINA

Calhoun County

Zante Plantation, SE of Fort Motte off SC 601, Fort Motte vicinity, OT76001695

Darlington County

Lide, Evan J., House, (Springville MRA), W of CR 228 NW of SC 34, Springville, OT85003139

Additional documentation has been received for the following resource(s):

GEORGIA

McDuffie County

Thomson Commercial Historic District (Additional Documentation), Along Main/Jackson Street from White Oak Street to one parcel south of National Avenue and from Church Street to Greenway Street north of the railroad, Thomson, AD89000413

Authority: Section 60.13 of 36 CFR part 60.

Sherry A. Frear,

Chief, National Register of Historic Places/National Historic Landmarks Program.

[FR Doc. 2025–12010 Filed 6–27–25; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

Bureau of Safety and Environmental Enforcement

[EEEE500000 256E1700D2 ET1SF0000.EAQ000]

Notice of Proposed Transfer of Pipelines

AGENCY: Bureau of Safety and Environmental Enforcement, Interior.

ACTION: Notice of Intent to Transfer Pipeline Ownership and Request for Submissions of Competing Interest.

SUMMARY: The Bureau of Safety and Environmental Enforcement (BSEE) is considering whether to authorize the transfer of ownership of certain pipelines in the Gulf of America (GOA).

DATES: Submissions of competing interest are due by July 30, 2025.

ADDRESSES: GOA Regional Supervisor, Regional Field Operations, Bureau of Safety and Environmental Enforcement, 1201 Elmwood Park Blvd., New Orleans, LA 70123–2394. You may also file submissions of competing interest electronically using a subject reference ''Submission of Competing Interest—Pipelines'' at *pipelines@bsee.gov.*

FOR FURTHER INFORMATION CONTACT: Otho Barnes, Bureau of Safety and Environmental Enforcement, Regional Supervisor, at (504) 736–5776, or by email to: *otho.barnes@bsee.gov.*

SUPPLEMENTARY INFORMATION:

Background: BSEE received a written request to acquire a certain pipeline segment in the GOA located on a right-of-way (ROW) that has been relinquished pursuant to 30 CFR 250.1019. The associated pipeline segment was relinquished by the ROW holder on August 13, 2022. The party requesting to acquire the pipeline is a prior ROW holder for the segment.

BSEE has determined that, pursuant to 30 CFR 250.1010(h), the Outer Continental Shelf (OCS) pipeline and any related infrastructure are the property of the United States and may be transferred to private parties. BSEE received the request from a private party seeking to acquire the pipeline segment from the United States, as set forth in the table below:

PIPELINE SEGMENT WITH PENDING APPLICATION FOR ACQUISITION

Previous ROW holder	Previous PSN	Previous ROW	ROW relinquishment date
Arena Offshore, LP	11501	ROW OCS–G 18811	08/13/2022

Purpose: The Department of the Interior has determined that the pipeline segment is subject to disposition pursuant to 40 U.S.C. 701 and the General Services Administration Federal Management Regulations at 41 CFR part 102–36. BSEE is providing notice that, until July 30, 2025, it will accept submissions of competing interest for acquisition of the pipeline segment. Depending on the level of interest, BSEE will complete a transfer of ownership of the pipeline to a private party through an appropriate transfer process.

In addition to transferring the pipeline interest, a new ROW will still be required pursuant to 30 CFR part 250, subpart J prior to any use of the pipeline. The transfer of pipeline ownership from the United States to another party will make that party responsible for the pipeline, including future operations, maintenance, and all decommissioning obligations.

Purpose of a Notice of Intent (NOI)

This NOI serves to inform interested parties of BSEE's intent to transfer ownership of the pipeline that is located in the previously described relinquished ROW on the OCS, and to describe BSEE's process for accepting submissions of competing interest.

BSEE will evaluate and respond to all submissions received pursuant to this NOI. If BSEE receives future requests to reuse other pipelines, it will issue similar NOIs to notify the public and to solicit statements of competing interest.

Instructions for the NOI

Parties interested in acquiring the aforementioned pipeline should submit the information outlined in the Purpose section above to the GOA Regional Supervisor for Regional Field Operations as provided in the **ADDRESSES** section no later than July 30, 2025.

Kenneth C. Stevens,

Principal Deputy Director Exercising the Delegated Authorities of the Director Bureau of Safety and Environmental Enforcement.

[FR Doc. 2025–12018 Filed 6–27–25; 8:45 am]

BILLING CODE 4310–VH–P

INTERNATIONAL TRADE COMMISSION

[Investigation No. 337–TA–1446]

Certain Active Electrical Cables and Components Thereof; Notice of a Commission Decision Not To Review an Initial Determination Amending the Complaint and Notice of Investigation

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has determined not to review an initial determination (''ID'') (Order No. 7) of the presiding administrative law judge (''ALJ'') granting a motion to amend the complaint and notice of investigation to terminate one respondent and add another.

FOR FURTHER INFORMATION CONTACT: Sidney A. Rosenzweig, Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436, telephone (202) 708–2532. 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 April 18, 2025, the Commission instituted this investigation based on a complaint filed by Credo Semiconductor Inc. of San Jose, California and Credo Technology Group Ltd. of the Cayman Islands (collectively, ''Credo''). 90 FR 16551 (Apr. 18, 2025). The complaint alleged violations of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, 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 Nos. 10,877,233; 11,012,252; and 11,032,111. *Id.* The Commission's notice of investigation named the following respondents: Amphenol Corporation of Wallingford, Connecticut; Molex, LLC of Lisle, Illinois; and TE Connectivity PLC of Galway, Ireland (''TE PLC''). *Id.* at 16552. The Office of Unfair Import Investigations is a party to this investigation. *Id.*

On May 23, 2025, Credo moved for leave to amend the complaint and notice of investigation to terminate TE PLC and add TE Connectivity Corporation of Berwyn, Pennsylvania (''TECC'') as a respondent. The motion was unopposed. The motion explained that good cause existed for the substitution of respondents, because TECC is the operating company responsible for importation and sale of accused products, and TE PLC is a holding company without such responsibility.

On May 28, 2025, the ALJ issued the subject ID (Order No. 7) pursuant to Commission Rules 210.14(b)(1) and 210.21(a), 19 CFR 210.14(b)(1) and 19 CFR 210.21(a). The ID explains that good cause exists for the substitution of respondents because Credo did not know about TECC's role until discovery commenced. The ID also finds that there will be no prejudice to TECC or to the public interest.

No petitions for Commission review of the ID were filed. The Commission has determined not to review the ID.

The Commission vote for this determination took place on June 20, 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: June 26, 2025.

Lisa Barton,

Secretary to the Commission.

[FR Doc. 2025–12047 Filed 6–27–25; 8:45 am]

BILLING CODE 7020–02–P

DEPARTMENT OF LABOR

Employment and Training Administration

Change of Physical Mailing Address

AGENCY: Employment and Training Administration, Department of Labor.

ACTION: Notice.

SUMMARY: The Employment and Training Administration (ETA) of the Department of Labor (DOL) is issuing this notice to announce that the Office of Foreign Labor Certification (OFLC) is changing the mailing address for its temporary programs, currently submitted to addresses in Chicago, IL August 29, 2025.

DATES: The new address announced in this notice is effective on August 29, 2025.

ADDRESSES: The new centralized mailing address: U.S. Department of Labor, Employment and Training Administration, Office of Foreign Labor Certification, 200 Constitution Avenue NW, Room N–5311, Washington, DC 20210. This address will be used both to receive documentary evidence for applications and to receive payments for H–2A certification invoices.

FOR FURTHER INFORMATION CONTACT: Brian Pasternak, Administrator, Office of Foreign Labor Certification, Employment and Training Administration, U.S. Department of Labor, 200 Constitution Avenue NW, Room N–5311, Washington, DC 20210, telephone (202) 693–8200 (this is not a toll-free number). For persons with a hearing or speech disability who need assistance to use the telephone system, please dial 711 to access telecommunications relay services.

SUPPLEMENTARY INFORMATION:

Background

The Secretary of Labor (Secretary) has unique responsibilities under the Immigration and Nationality Act (INA), which is delegated to OFLC through ETA, to provide employers with timely access to a qualified workforce while protecting the wages and working conditions of U.S. and foreign workers in their employment. OFLC receives applications from employers seeking permission to employ foreign workers on both a temporary and permanent basis and evaluates each application for compliance with the relevant statutory and regulatory requirements. Although the vast majority of OFLC applications requesting temporary labor certification are submitted and processed electronically, some employers submit applications, supplemental information, and remittances for fees assessed as a condition of granting H–2A labor certification through the United States Postal Service or commercial parcel delivery services (collectively ''physical mail'').

Physical mail submitted to OFLC related to its temporary programs, including the H–2A temporary agricultural program, H–2B temporary non-agricultural program, CW–1 program for workers employed in the Commonwealth of the Northern Mariana Islands, D–1 program for performing longshore work at U.S. ports, and labor condition applications (LCA) or labor attestations for the E–3, H–1B, and H–1B1 visa classifications, is currently addressed to the National Processing Center (NPC) located in Chicago, IL. Specifically, physical mail for documents related to these temporary programs, when applicable, is currently addressed to the NPC's mailing address at: U.S. Department of Labor, Employment and Training Administration, Office of Foreign Labor Certification, Chicago National Processing Center, 11 W Quincy Court, Chicago, Illinois 60604. Physical mail associated with H–2A certification invoice payments is addressed and mailed to Chicago National Processing Center, Office of Foreign Labor Certification, U.S. Department of Labor, P.O. Box A3804, Chicago, IL 60690–A3804.

OFLC's expanded use of technology has allowed for the electronic filing and processing of employer applications within the Foreign Labor Application Gateway (FLAG) System (*https://flag.dol.gov/*) as well as electronic communications with employers and their authorized attorneys or agents, as applicable, throughout the application process. Full implementation of the

FLAG System has significantly eliminated the need for physical processing centers and the frequency with which employers and their authorized attorneys or agents, as applicable, need to send physical mail in connection with the aforementioned temporary programs. The benefits associated with the FLAG system modernization initiative have allowed OFLC to consolidate all incoming physical mail into a single physical location. Accordingly, this Notice informs the public about a change of mailing address for physical mail currently sent to the NPC located in Chicago, IL.

New Mailing Address

Effective August 29, 2025, any physical mail sent to the NPC in Chicago must be submitted to the following new centralized mailing address: U.S. Department of Labor, Employment and Training Administration, Office of Foreign Labor Certification, 200 Constitution Avenue NW, Room N–5311, Washington, DC 20210. This address will be used both to receive documentary evidence for applications and to receive payments for H–2A certification invoices.

The correct new mailing address above must be used as of August 29, 2025. Any United States Postal Service mail addressed to the Chicago, IL NPC's prior mailing addresses will be forwarded by the U.S. Postal Service for a limited period of time, but OFLC will not consider such forwarded mail timely if the mail is postmarked after September 19, 2025. Courier services and other courier mail or parcel delivery services will no longer have the ability to deliver physical mail to the Chicago, IL NPC's former mailing addresses as of August 29, 2025 and OFLC will no longer have staff physically present at the prior address or access to the building. Failure to send mail to the new centralized mail receipt location identified in this Notice may result in processing delays and possibly denials if the information and documentation submitted by mail is not delivered as instructed and within the timeframe directed by OFLC.

Authority: 20 CFR 655.101(a), 655.2(a); 655.401; 655.501, 655.705(a).

Susan Frazier,

Acting Assistant Secretary for Employment and Training, Labor.

[FR Doc. 2025–12023 Filed 6–27–25; 8:45 am]

BILLING CODE 4510–FP–P

DEPARTMENT OF LABOR

Office of the Secretary

[Secretary's Order 7–2025]

Delegation of Authority and Assignment of Responsibility to the Assistant Secretary for Occupational Safety and Health

1. *Purpose.* To delegate authority and assign responsibility to the Assistant Secretary for Occupational Safety and Health.

2. *Authorities and Directives Affected.*

A. Authorities. This Order is issued pursuant to 29 U.S.C. 551 *et seq.;* 5 U.S.C. 301; 5 U.S.C. 5315; the Occupational Safety and Health Act of 1970, 29 U.S.C. 651 *et seq.;* the Walsh-Healey Public Contracts Act of 1936, as amended, 41 U.S.C. 35, 37–41, 43–45; the McNamara-O'Hara Service Contract Act of 1965, as amended, 41 U.S.C. 351–354, 356–357; the Contract Work Hours and Safety Standards Act, as amended, 40 U.S.C. 3701, 3704–3706; the Maritime Safety Act of 1958, 33 U.S.C. 941; the National Foundation on the Arts and the Humanities Act of 1965, 20 U.S.C. 954(m)(2); 5 U.S.C. 7902 and any executive order thereunder, including Executive Order 12196 (''Occupational Safety and Health Programs for Federal Employees'') (February 26, 1980); the Surface Transportation Assistance Act of 1982, 49 U.S.C. 31105; the Asbestos Hazard Emergency Response Act of 1986, 15 U.S.C. 2651; the International Safe Container Act, 46 U.S.C. 80507; the Safe Drinking Water Act, 42 U.S.C. 300j–9(i); the Energy Reorganization Act of 1974, as amended, 42 U.S.C. 5851; the Comprehensive Environmental Response, Compensation and Liability Act of 1980, 42 U.S.C. 9610 (a)–(d); the Federal Water Pollution Control Act, 33 U.S.C. 1367; the Toxic Substances Control Act, 15 U.S.C. 2622; the Solid Waste Disposal Act, 42 U.S.C. 6971; the Clean Air Act, 42 U.S.C. 7622; the Wendell H. Ford Aviation Investment and Reform Act for the 21st Century, 49 U.S.C. 42121; the Sarbanes-Oxley Act of 2002, 18 U.S.C. 1514A; the Pipeline Safety Improvement Act of 2002, 49 U.S.C. 60129; the National Transit Systems Security Act, 6 U.S.C. 1142; the Federal Railroad Safety Act, 49 U.S.C. 20109; the Consumer Product Safety Improvement Act, 15 U.S.C. 2087; the Affordable Care Act amendment to the Fair Labor Standards Act, 29 U.S.C. 218C and the associated Fair Labor Standards Act authorities in Sections 9 and 11 (29 U.S.C. 209 and 211) to issue subpoenas and conduct investigations; the Consumer Financial Protection Act, 12 U.S.C. 5567; the Seaman's Protection Act, 46 U.S.C. 2114, as amended; the FDA Food Safety Modernization Act, 21 U.S.C. 399d; the Moving Ahead for Progress in the 21st Century Act, 49 U.S.C. 30171; the Taxpayer First Act, 26 U.S.C. 7623(d); the Criminal Antitrust Anti-Retaliation Act, 15 U.S.C. 7a–3; the Anti-Money Laundering Act, 31 U.S.C. 5323(a)(5) & (g) & (j); and the Victims of Trafficking and Violence Protection Act of 2000, 8 U.S.C. 1101(a)(15)(T) & (U), as amended, to issue T Nonimmigrant Status Declarations and U Nonimmigrant Status Certifications.

B. Directives Affected. Secretary's Order 08–2020 is hereby superseded by this Order.

3. *Background.* This Order constitutes the basic Secretary's Order for the Occupational Safety and Health Administration (OSHA), superseding Order 08–2020. This Order delegates and assigns responsibility to OSHA for enforcement of the Criminal Antitrust Anti-Retaliation Act, 15 U.S.C. 7a–3; and the Anti-Money Laundering Act, 31 U.S.C. 5323(a)(5) & (g) & (j); and the authority and assigned responsibility to issue T Nonimmigrant Status Declarations under Section 107(e) of the Victims of Trafficking and Violence Protection Act of 2000, as amended, 8 U.S.C. 1101(a)(15)(T), and related Department of Homeland Security regulations (8 CFR 214.201) and U Nonimmigrant Status Certifications under Section 1513(b) of the Victims of Trafficking and Violence Protection Act of 2000, as amended, 8 U.S.C. 1101(a)(15)(U), and related Department of Homeland Security regulations (8 CFR 214.14), and this Order continues those delegations and assignments in full force and effect, except as expressly modified herein.

4. *Delegation of Authority and Assignment of Responsibility.*

A. The Assistant Secretary for Occupational Safety and Health.

(1) The Assistant Secretary for Occupational Safety and Health is delegated authority and assigned responsibility for administering the safety and health, and whistleblower programs and activities of the Department of Labor, except as provided in paragraph 4.A.(3) below, under the designated provisions of the following laws:

(a) Occupational Safety and Health Act of 1970, 29 U.S.C. 651 *et seq.*

(b) Walsh-Healey Public Contracts Act of 1936, as amended, 41 U.S.C. 35, 37–41, 43–45.

(c) McNamara-O'Hara Service Contract Act of 1965, as amended, 41 U.S.C. 351–354, 356–357.

(d) Contract Work Hours and Safety Standards Act, as amended, 40 U.S.C. 3701, 3704–3706.

(e) Maritime Safety Act of 1958, 33 U.S.C. 941.

(f) National Foundation on the Arts and the Humanities Act of 1965, 20 U.S.C. 954(m)(2).

(g) 5 U.S.C. 7902 and any executive order thereunder, including Executive Order 12196 (''Occupational Safety and Health Programs for Federal Employees'') (February 26, 1980).

(h) Surface Transportation Assistance Act of 1982, 49 U.S.C. 31105.

(i) Asbestos Hazard Emergency Response Act of 1986, 15 U.S.C. 2651.

(j) International Safe Container Act, 46 U.S.C. 80507.

(k) Safe Drinking Water Act, 42 U.S.C. 300j–9(i).

(l) Energy Reorganization Act of 1974, as amended, 42 U.S.C. 5851.

(m) Comprehensive Environmental Response, Compensation and Liability Act of 1980, 42 U.S.C. 9610(a)–(d).

(n) Federal Water Pollution Control Act, 33 U.S.C. 1367.

(o) Toxic Substances Control Act, 15 U.S.C. 2622.

(p) Solid Waste Disposal Act, 42 U.S.C. 6971.

(q) Clean Air Act, 42 U.S.C. 7622.

(r) Wendell H. Ford Aviation Investment and Reform Act for the 21st Century, 49 U.S.C. 42121.

(s) Sarbanes-Oxley Act of 2002, 18 U.S.C. 1514A.

(t) Pipeline Safety Improvement Act of 2002, 49 U.S.C. 60129.

(u) National Transit Systems Security Act, 6 U.S.C. 1142.

(v) Federal Railroad Safety Act, 49 U.S.C. 20109.

(w) Affordable Care Act amendment to the Fair Labor Standards Act, 29 U.S.C. 218C. Authority and responsibility for Section 18C of the FLSA (29 U.S.C. 218C) and the associated FLSA authorities in Sections 9 and 11 (29 U.S.C. 209 and 211) to issue subpoenas and conduct investigations under Section 18C are delegated and assigned to the Assistant Secretary for Occupational Safety and Health.

(x) Consumer Financial Protection Act, 12 U.S.C. 5567.

(y) Consumer Product Safety Improvement Act, 15 U.S.C. 2087.

(z) Seaman's Protection Act, 46 U.S.C. 2114.

(aa) FDA Food Safety Modernization Act, 21 U.S.C. 399d.

(bb) Moving Ahead for Progress in the 21st Century Act, 49 U.S.C. 30171. (cc) Taxpayer First Act, 26 U.S.C. 7623(d).

(dd) Criminal Antitrust Anti-Retaliation Act, 15 U.S.C. 7a–3.

(ee) Anti-Money Laundering Act, 31 U.S.C. 5323(a)(5) & (g) & (j).

(ff) Responsibilities of the Secretary of Labor with respect to safety and health, or whistleblower provisions of any other Federal law except those responsibilities which are assigned to another DOL agency.

(2) The Assistant Secretary for Occupational Safety and Health is hereby delegated authority and assigned responsibility to issue T Nonimmigrant Status Declarations under Section 107(e) of the Victims of Trafficking and Violence Protection Act of 2000, as amended, 8 U.S.C. 1101(a)(15)(T), and related Department of Homeland Security regulations (8 CFR 214.201) and U Nonimmigrant Status Certifications under Section 1513(b) of the Victims of Trafficking and Violence Protection Act of 2000, as amended, 8 U.S.C. 1101(a)(15)(U), and related Department of Homeland Security regulations (8 CFR 214.14). This delegation and authority now rest with both the Administrator for the Wage and Hour Division and the Assistant Secretary for Occupational Safety and Health.

(3) The authority of the Assistant Secretary for Occupational Safety and Health under the Occupational Safety and Health Act of 1970 does not include authority to conduct inspections and investigations, issue citations, assess and collect penalties, or enforce any other remedies available under the statute, or to develop and issue compliance interpretations under the statute, with regard to the standards on:

(a) Field sanitation, 29 CFR part 1928.110; and

(b) Temporary labor camps, 29 CFR part 1910.142, with respect to any agricultural establishment where employees are engaged in ''agricultural employment'' within the meaning of the Migrant and Seasonal Agricultural Worker Protection Act, 29 U.S.C. 1802(3), regardless of the number of employees, including employees engaged in hand packing of produce into containers, whether done on the ground, on a moving machine, or in a temporary packing shed, except that the Assistant Secretary for Occupational Safety and Health retains enforcement responsibility over temporary labor camps for employees engaged in egg, poultry, or red meat production, or the post-harvest processing of agricultural or horticultural commodities.

Nothing in this Order shall be construed as derogating from the right of States operating OSHA-approved State plans under 29 U.S.C. 667 to continue to enforce field sanitation and temporary labor camp standards if they so choose. The Assistant Secretary for Occupational Safety and Health retains the authority to monitor the activity of such States with respect to field sanitation and temporary labor camps. Moreover, the Assistant Secretary for Occupational Safety and Health retains all other agency authority and responsibility under the Occupational Safety and Health Act with regard to the standards on field sanitation and temporary labor camps, such as rulemaking authority.

(4) The Assistant Secretary for Occupational Safety and Health is also delegated authority and assigned responsibility for coordinating agency efforts with those of other officials or agencies having responsibilities in the occupational safety and health area.

B. The Assistant Secretary for Occupational Safety and Health and the Administrator, Wage and Hour Division are directed to confer regularly on enforcement of the Occupational Safety and Health Act with regard to the standards on field sanitation and temporary labor camps (see paragraph 4.A.(3) of this Order), and to enter into any memoranda of understanding which may be appropriate to clarify questions of coverage which arise in the course of such enforcement.

C. The Solicitor of Labor is responsible for providing legal advice and assistance to all Department of Labor officials relating to implementation and administration of all aspects of this Order. The bringing of legal proceedings under those authorities, the representation of the Secretary and/or other officials of the Department of Labor, and the determination of whether such proceedings or representations are appropriate in a given case, are delegated exclusively to the Solicitor.

D. The Commissioner of Labor Statistics is delegated authority and assigned responsibility for:

(1) 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 consistent with applicable law and Secretary's orders.

(2) Making grants to states or political subdivisions thereof in order to assist them in developing and administering programs dealing with occupational safety and health statistics under Sections 18, 23, and 24 of the Occupational Safety and Health Act.

(3) Coordinating the above functions with the Assistant Secretary for Occupational Safety and Health.

E. The Regional Administrators for Occupational Safety and Health are also hereby delegated authority and assigned responsibility to issue subpoenas and conduct investigations under Sections 9 and 11 of the Fair Labor Standards Act of 1938, as amended, 29 U.S.C. 209 and 211, in cases arising under Section 18C of the FLSA, 29 U.S.C. 218C.

5. *Reservation of Authority and Responsibility.*

A. The submission of reports and recommendations to the President and the Congress concerning the administration of the statutory provisions and Executive Orders listed in paragraph 4.A. above is reserved to the Secretary.

B. No delegation of authority or assignment of responsibility under this Order will be deemed to affect the Secretary's authority to continue to exercise or further delegate such authority or responsibility.

C. Nothing in this Order shall limit or modify the delegation of authority and assignment of responsibility to the Administrative Review Board by Secretary's Order 02–2020 (February 21, 2020).

6. *Effective Date.* This delegation of authority and assignment of responsibility is effective immediately.

Lori Chavez-DeRemer,

Secretary of Labor.

[FR Doc. 2025–11994 Filed 6–27–25; 8:45 am]

BILLING CODE 4510–26–P

NATIONAL SCIENCE FOUNDATION

Sunshine Act Meetings

The National Science Board's Committee on Awards and Facilities (A&F) hereby gives notice of the scheduling of a teleconference for the transaction of National Science Board business pursuant to the NSF Act and the Government in the Sunshine Act.

TIME AND DATE: Thursday, June 26, 2025, from 3:00–4:00 p.m. Eastern.

PLACE: This meeting will be via videoconference through the National Science Foundation, 2415 Eisenhower Avenue, Alexandria, VA 22314.

STATUS: Closed.

MATTERS TO BE CONSIDERED: The agenda is: Committee Chair's opening remarks about the agenda; and discussion and vote on Mid-scale Research Infrastructure Program award.

CONTACT PERSON FOR MORE INFORMATION: Point of contact for this meeting is: Chris Blair, *cblair@nsf.gov,* 703/292–7000. Meeting information and updates may be found at *www.nsf.gov/nsb.*

Ann E. Bushmiller,

Senior Counsel to the National Science Board.

[FR Doc. 2025–12015 Filed 6–26–25; 11:15 am]

BILLING CODE 7555–01–P

NUCLEAR REGULATORY COMMISSION

[NRC–2025–0088]

Level 3 Probabilistic Risk Assessment Project Documentation (Volume 6)

AGENCY: Nuclear Regulatory Commission.

ACTION: Draft report; request for comment.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) is issuing for public comment two draft reports on the Level 3 Probabilistic Risk Assessment (PRA) project; specifically, ''Volume 6a: Spent Fuel Pool Level 1 and Level 2 PRA'' and ''Volume 6b: Spent Fuel Pool Level 3 PRA.''

DATES: Submit comments by August 29, 2025. Comments received after this date will be considered if it is practical to do so, but the Commission is able to ensure consideration only for comments received on or before this date.

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–2025–0088. 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.
- *Mail comments to:* Office of Administration, Mail Stop: TWFN–7–A60M, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001, ATTN: Program Management, Announcements and Editing 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: Alan Kuritzky, Office of Nuclear Regulatory Research, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001; telephone: 301–415–1552; email: *Alan.Kuritzky@nrc.gov.*

SUPPLEMENTARY INFORMATION:

I. Obtaining Information and Submitting Comments

A. Obtaining Information

Please refer to Docket ID NRC–2025–0088 when contacting the NRC about the availability of information for this action. You may obtain publicly available information related to this action by any of the following methods:

- *Federal Rulemaking website:* Go to *https://www.regulations.gov* and search for Docket ID NRC–2025–0088.
- *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.* For the convenience of the reader, instructions about obtaining materials referenced in this document are provided in the ''Availability of Documents'' section.
- *NRC's PDR:* The PDR, where you may examine and order copies of publicly available documents, is open by appointment. To make an appointment to visit the PDR, please send an email to *PDR.Resource@nrc.gov* or call 1–800–397–4209 or 301–415–4737, between 8 a.m. and 4 p.m. eastern time (ET), Monday through Friday, except Federal holidays.

B. Submitting Comments

The NRC encourages electronic comment submission through the Federal rulemaking website (*https://www.regulations.gov*). Please include Docket ID NRC–2025–0088 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

As directed in SRM–SECY–11–0089, ''Options for Proceeding with Future Level 3 Probabilistic Risk Assessment (PRA) Activities,'' the staff is conducting a full-scope multi-unit site Level 3 PRA (Level 3 PRA project) that addresses all internal and external hazards, all plant operating modes, and all reactor units, spent fuel pools (SFPs), and dry cask storage. The reference site for this study contains 2 four-loop Westinghouse pressurized water reactors with large dry containments. The objectives of the Level 3 PRA project are to (1) develop a Level 3 PRA, generally based on current state-of-practice methods, tools, and data, that (a) reflects technical advances since the last NRC-sponsored Level 3 PRAs (NUREG–1150), which were completed over 30 years ago, and (b) addresses scope considerations that were not previously considered (*e.g.,* low-power and shutdown risk, multi-unit risk, other radiological sources); (2) extract new insights to enhance regulatory decision making and to help focus limited NRC resources on issues most directly related to the agency's mission to protect public health and safety; (3) enhance PRA staff capability and expertise and improve documentation practices to make PRA information more accessible, retrievable, and understandable; and (4) demonstrate technical feasibility and evaluate the realistic cost of developing new Level 3 PRAs.

The work performed under this project is being documented as a multi-volume report. The current Level 3 PRA project reports describe the analyses and results for the SFP combined Level 1 and Level 2 PRA for all hazards (Volume 6a) and the SFP Level 3 PRA for all hazards (Volume 6b). Consistent with previous SFP studies, seismic events were found to be the dominant contributors (particularly, the higher seismic bins). However, effectively no populations were projected to receive the high doses needed to result in early health effects. The bulk of the radiological exposure (which is in the low to very low dose range) arises from reoccupation of land after decontamination and natural decay and weathering reduce exposures to levels below the habitability criteria assumed in the analysis. The study also found that the risk (which considers both frequency and consequences) of latent fatality for the SFPs is less than that for the reactors.

While these results can vary for other plants due to variations in their design and siting, the estimates derived for the reference plant, when adjusted for siting and design variations, would provide useful qualitative risk insights for other U.S. operating plants.

III. Availability of Documents

The documents identified in the following table are available to interested persons through ADAMS, as indicated.

Document description	ADAMS Accession No.
SRM–SECY–11–0089, ''Options for Proceeding with Future Level 3 Probabilistic Risk Assessment (PRA) Activities,'' dated September 21, 2011.	ML112640419
Level 3 PRA Project, Volume 6a: Spent Fuel Pool Level 1 and Level 2 PRA (draft for public comment), published June 2025	ML25134A014
Level 3 PRA Project, Volume 6b: Spent Fuel Pool Level 3 PRA (draft for public comment), published June 2025	ML25134A015

Dated: June 25, 2025.

For the Nuclear Regulatory Commission.

Michelle Gonzalez,

Acting Chief, Probability Risk Assessment Branch, Division of Risk Analysis, Office of Nuclear Regulatory Research.

[FR Doc. 2025–12017 Filed 6–27–25; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

[Docket No. 50–255–LA–4;ASLBP No. 25–988–01–LA–BD01]

HOLTEC PALISADES, LLC; ESTABLISHMENT OF ATOMIC SAFETY AND LICENSING BOARD

Pursuant to the Commission's regulations, *see, e.g.,* 10 CFR 2.104, 2.105, 2.300, 2.309, 2.313, 2.318, 2.321, notice is hereby given that an Atomic Safety and Licensing Board (Board) is being established to preside over the following proceeding:

HOLTEC PALISADES, LLC (Palisades Nuclear Plant)

Holtec Palisades, LLC has requested an amendment to Renewed Facility Operating License No. DPR–20 to allow the use of Framatome Alloy 690 sleeves to repair defective steam generator tubes, in support of the potential reauthorization of power operations at the Palisades Nuclear Plant, which is located in Covert Township, Michigan. In response to a notice filed in the **Federal Register** announcing the opportunity to request a hearing, *see* 90 FR 15,722 (Apr. 15, 2025), Beyond Nuclear, Don't Waste Michigan, Michigan Safe Energy Future, Three Mile Island Alert, and Nuclear Energy Information Service filed a hearing request on June 16, 2025.

The Board is comprised of the following Administrative Judges:

Michael M. Gibson, Chair, Atomic Safety and Licensing Board Panel, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001

Dr. Gary S. Arnold, Atomic Safety and Licensing Board Panel, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001

Dr. Arielle J. Miller, Atomic Safety and Licensing Board Panel, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001

All correspondence, documents, and other materials shall be filed in accordance with the NRC E-Filing rule. *See* 10 CFR 2.302.

Dated: June 25, 2025.

Emily I. Krause,

Associate Chief Administrative Judge, Atomic Safety and Licensing Board Panel, Rockville, Maryland.

[FR Doc. 2025–11996 Filed 6–27–25; 8:45 am]

BILLING CODE 7590–01–P

POSTAL REGULATORY COMMISSION

[Docket Nos. MC2025–1539 and K2025–1533; MC2025–1540 and K2025–1534]

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:* July 2, 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
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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).:* MC2025–1539 and K2025–1533; *Filing Title:* USPS Request to Add Priority Mail Contract 895 to the Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date:* June 24, 2025; *Filing Authority:* 39 U.S.C. 3642, 39 CFR 3035.105, and 39 CFR 3041.310; *Public Representative:* Maxine Bradley; *Comments Due:* July 2, 2025.

2. *Docket No(s).:* MC2025–1540 and K2025–1534; *Filing Title:* USPS Request to Add Priority Mail & USPS Ground Advantage Contract 790 to the Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date:* June 24, 2025; *Filing Authority:* 39 U.S.C. 3642, 39 CFR 3035.105, and 39 CFR 3041.310; *Public Representative:* Gregory Stanton; *Comments Due:* July 2, 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. 2025–11984 Filed 6–27–25; 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. 34–103325; File No. SR–FINRA–2025–002]

Self-Regulatory Organizations; Financial Industry Regulatory Authority, Inc.; Order Approving a Proposed Rule Change To Adopt FINRA Rule 6152 (Disclosure of Order Execution Information for NMS Stocks)

June 25, 2025.

I. Introduction

On April 2, 2025, the Financial Industry Regulatory Authority, Inc. (''FINRA'') filed with the Securities and Exchange Commission (''Commission''), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Exchange Act'')[1] and Rule 19b–4 thereunder,[2] a proposed rule change to adopt FINRA Rule 6152 (Disclosure of Order Execution Information for NMS Stocks) to require members to submit their order execution reports for NMS stocks to FINRA for publication on the FINRA website. The proposed rule change was published for comment in the **Federal Register** on April 11, 2025.[3] On May 20, 2025, the Commission extended until July 10, 2025, the time period within which to approve the proposed rule change, disapprove the proposed rule change, or institute proceedings to determine whether to disapprove the proposed rule change.[4] This order approves the proposed rule change.

II. Description of the Proposed Rule Change

Rule 605 under Regulation National Market System (''Regulation NMS'')[5] requires specified entities to make available standardized monthly reports of statistical information concerning

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] *See* Securities Exchange Act Release No. 102781 (April 7, 2025), 90 FR 15485 (April 11, 2025) (''Notice''). Comments received on the proposed rule change are available at: *https://www.sec.gov/comments/sr-finra-2025-002/srfinra2025002.htm.*

[4] *See* Securities Exchange Act Release No. 103094 (May 20, 2025), 90 FR 22389 (May 27, 2025).

[5] 17 CFR 242.605.

covered orders [6] in NMS stocks [7] that such entities received for execution (''Rule 605 Reports''). On March 6, 2024, the Commission adopted amendments to Rule 605 that, among other things, expanded the scope of reporting entities subject to Rule 605 to include, in addition to market centers,[8] broker-dealers that introduce or carry 100,000 or more customer accounts (referred to as ''larger broker-dealers'' [9]).[10]

The procedures for market centers [11] to make their Rule 605 Reports available to the public are set forth in the National Market System Plan Establishing Procedures Under Rule 605 of Regulation NMS (''Rule 605 NMS Plan'').[12] The Rule 605 NMS Plan provides that Rule 605 Reports shall be made available to the public in a uniform, readily accessible, and usable electronic format,[13] within one month after the end of the month addressed in the report.[14] The Rule 605 NMS Plan further requires each market center to make arrangements with a single self-regulatory organization (''SRO'') to act as its ''Designated Participant,'' and to provide its Designated Participant with a hyperlink to the website where the Rule 605 Reports can be downloaded.[15] Each SRO participant in the Rule 605 NMS Plan, in turn, maintains a website that includes a list of links where the Rule 605 Reports can be obtained for all market centers for which the SRO participant functions as a Designated Participant.[16] FINRA acts as the Designated Participant under the Rule 605 NMS Plan for all non-exchange market centers and includes on the FINRA website links to such market centers' Rule 605 Reports.[17]

FINRA states, however, that users seeking to analyze and compare Rule 605 Reports must still navigate to the separate websites that house each individual market center's Rule 605 Reports.[18] Therefore, to make Rule 605 Reports more accessible for regulators, investors, and others seeking to analyze and compare the data, FINRA proposes to require that members provide their Rule 605 Reports to FINRA for central publication on the FINRA website. Specifically, new FINRA Rule 6152, entitled ''Disclosure of Order Execution Information for NMS Stocks,'' would require each member that is required to publish reports pursuant to Rule 605 to provide such reports to FINRA, in the manner prescribed by FINRA, within the same time and in the same format that such reports are required to be made publicly available pursuant to Rule 605 (*i.e.,* within one month after the end of the month addressed in the report).[19] FINRA would publish the Rule 605 Reports it receives in a centralized location on the FINRA website, free of charge and with no restrictions on use of the data.[20] If approved, FINRA plans to announce the effective date of the proposed rule change in a *Regulatory Notice.*[21]

FINRA states it undertook an economic impact assessment to analyze the potential economic impacts of the proposed rule change, including potential costs, benefits, and distributional and competitive effects, relative to the current baseline.[22] In addition, FINRA published the substance of the proposal in *Regulatory Notice* 23–10 (May 2023) and received three comments in response.[23] FINRA provided these comments, as well as a summary of these comments and its responses, in its filing with the Commission.[24]

III. Discussion and Commission Findings

After reviewing the proposed rule change and comment letters received, the Commission finds that the proposed rule change is consistent with the requirements of the Exchange Act and

[6] ''Covered order'' means any market order or any limit order (including immediate-or-cancel orders) received by a market center, broker, or dealer during regular trading hours at a time when a national best bid and national best offer (''NBBO'') is being disseminated and after the primary listing market has disseminated its first firm, uncrossed quotations in the security, and, if executed, is executed during regular trading hours; or any non-marketable limit order (including an order submitted with a stop price) received by a market center, broker, or dealer outside of regular trading hours, or at a time before the primary listing market has disseminated its first firm, uncrossed quotations in the security, or at a time when an NBBO is not being disseminated and, if executed, is executed during regular trading hours. Covered order shall exclude any order for which the customer requests special handling for execution, including, but not limited to, orders to be executed at a market opening price or a market closing price, orders to be executed only at their full size, orders to be executed on a particular type of tick or bid, orders submitted on a ''not held'' basis, orders for other than regular settlement, and orders to be executed at prices unrelated to the market price of the security at the time of execution. *See* 17 CFR 242.600(b)(27).

[7] ''NMS stock'' is defined under Regulation NMS as any NMS security other than an option. *See* 17 CFR 242.600(b)(65). An ''NMS security'' is defined as any security or class of securities for which transaction reports are collected, processed, and made available pursuant to an effective transaction reporting plan, or an effective national market system plan for reporting transactions in listed options. *See* 17 CFR 242.600(b)(64).

[8] Under Regulation NMS, a ''market center'' means any exchange market maker, OTC market maker, alternative trading system, national securities exchange, or national securities association. *See* 17 CFR 242.600(b)(55). FINRA stated that, other than national securities exchanges, all market centers are FINRA members. *See* Notice at 15486 n.9.

[9] FINRA stated that all larger broker-dealers subject to Rule 605 are FINRA members. *See* Notice at 15486 n.10.

[10] *See* Securities Exchange Act Release No. 99679 (March 6, 2024), 89 FR 26428, 26429 (April 15, 2024) (Disclosure of Order Execution Information; Final Rule) (''Rule 605 Amendments Release''). The amendments to Rule 605 became effective on June 14, 2024, and the compliance date is December 14, 2025.

[11] Recent amendments to Rule 605 will require updates to the Rule 605 NMS Plan to, among other things, incorporate references to larger broker-dealers, in addition to market centers. *See id.*

[12] *See* Securities Exchange Act Release No. 44177 (April 12, 2001), 66 FR 19814 (April 17, 2001) (Joint Industry Plan; Order Approving Plan Establishing Procedures Under Rule 11Ac1–5 by the American Stock Exchange, Boston Stock Exchange, Chicago Stock Exchange, Cincinnati Stock Exchange, National Association of Securities Dealers, New York Stock Exchange, Pacific Exchange, and Philadelphia Stock Exchange) (''Rule 605 NMS Plan Release''). Among other things, the Rule 605 NMS Plan specifies the electronic file formats and other technical information for publication of Rule 605 Reports. The national securities exchanges that trade NMS stocks and FINRA are participants in the Rule 605 NMS Plan.

[13] *See* 17 CFR 242.605(a)(3).

[14] *See* 17 CFR 242.605(a)(6). Rule 605 Reports must be posted on an internet website that is free and readily accessible to the public for a period of three years from the initial date of posting. *See* 17 CFR 242.605(a)(5).

[15] *See* Rule 605 NMS Plan Release at 19814, 19815 (defining ''Designated Participant'') and 19816 (requiring each market center to arrange with a single SRO participant to act as the market center's Designated Participant).

[16] *See* Rule 605 NMS Plan Release at 19814, 19815.

[17] FINRA's market centers website can be accessed here: *https://www.finra.org/filing-reporting/regulation-nms/market-centers.*

[18] *See* Notice at 15486.

[19] FINRA would specify details regarding the manner of submission of the reports to FINRA in a *Regulatory Notice* or similar publication. Members would be permitted to use a third-party vendor to assist with transmission to FINRA. However, the member would remain responsible for submission of the reports in all respects, including the timeliness of the submissions to FINRA. Accordingly, a member would be required to submit a restated or corrected report to FINRA promptly in the event the member publishes a restated or corrected report pursuant to Rule 605. *See* Notice at 15487 n.21.

[20] *See* Notice at 15487. As it currently does for Regulation NMS Rule 606 reports under FINRA Rule 6151, FINRA anticipates that Rule 605 Reports submitted to FINRA pursuant to proposed FINRA Rule 6152 would be posted to the FINRA website as soon as practicable following acceptance of the file submission, in most cases on the same day as submission. *See* Notice at 15487 n.22. FINRA would maintain each Rule 605 Report on its website for at least three years from the initial date of posting. *See id.*

[21] FINRA states that the effective date of the proposed rule change will be no earlier than the compliance date established by the Commission for the Rule 605 amendments (currently set for December 14, 2025) and no later than 12 months following publication of the *Regulatory Notice* announcing Commission approval of the proposed rule change. *See* Notice at 15487 n.21.

[22] *See* Notice at 15487–88.

[23] *See id.* Comments received by FINRA are available on FINRA's website at: *https://www.finra.org/rules-guidance/notices/23-10#comments.*

[24] *See* Notice at 15488–89.

the rules and regulations thereunder applicable to a national securities association.[25] In particular, the Commission finds that the proposed rule change is consistent with Section 15A(b)(6) of the Exchange Act,[26] which requires, among other things, that the association's rules be designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general, to protect investors and the public interest; and that the rules are not designed to permit unfair discrimination between customers, issuers, brokers, or dealers.

The Commission received two comment letters that were broadly supportive of the proposed rule change.[27] One commenter stated its support for FINRA not implementing proposed Rule 6152 until the Commission's amendments to Rule 605 have been implemented, in light of ''open interpretative questions relating to the Commission's amendments to Rule 605.'' [28] Another commenter observed that the Commission did not mandate centralization of Rule 605 Reports as part of the Rule 605 Amendments Release, but that the Commission had initially proposed two alternative mechanisms for centralization and, at the time, the commenter stated ''that centralization 'should be done with a public database maintained by the Financial Industry Regulatory Authority (FINRA).' '' [29] This commenter stated that FINRA's proposal will bring ''greater utility to the reports and transparency to the investing public.'' [30]

Overall, the creation of a centralized electronic repository will promote greater transparency by better enabling market participants to access and evaluate the reports of multiple reporting entities because the reports would be available at a single location. Although FINRA's proposal will not require centralization of Rule 605 Reports from all reporting entities,[31] the proposed requirement that FINRA members send their Rule 605 Reports to FINRA for centralized publication on the FINRA website will make such information more readily accessible for investors, academics, and others seeking to analyze and compare the data. The proposed rule change will also facilitate the ability of FINRA and the Commission to review the data for regulatory purposes. While FINRA acknowledges that FINRA members will incur some costs in having to send Rule 605 Reports to FINRA,[32] centralized access through FINRA's website will make it more efficient for users to access and collect the Rule 605 Reports and make it easier to analyze and compare execution quality statistics across market centers and larger broker-dealers.

For the foregoing reasons, the Commission finds that the proposed rule change is consistent with Section 15A(b)(6) of the Exchange Act [33] and the rules and regulations thereunder applicable to a national securities association.

IV. Conclusion

It is therefore ordered, pursuant to Section 19(b)(2) of the Exchange Act,[34] that the proposed rule change (SR–FINRA–2025–002), be, and hereby is, approved.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[35]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025–12001 Filed 6–27–25; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–103323; File No. SR–CBOE–2025–042]

Self-Regulatory Organizations; Cboe Exchange, Inc.; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Introduce a One-Minute Interval Intraday Open-Close Report

June 25, 2025.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (the ''Act''),[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on June 13, 2025, Cboe Exchange, Inc. (the ''Exchange'' or ''Cboe Options'') filed with the Securities and Exchange Commission (the ''Commission'') the proposed rule change as described in Items I and II below, which Items have been prepared by the Exchange. The Exchange filed the proposal as a ''non-controversial'' proposed rule change pursuant to Section 19(b)(3)(A)(iii) of the Act [3] and Rule 19b–4(f)(6) thereunder.[4] 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

Cboe Exchange, Inc. (the ''Exchange'' or ''Cboe'') proposes to introduce a One-Minute Interval Intraday Open-Close Report.

The text of the proposed rule change is also available on the Exchange's website (*http://www.cboe.com/AboutCBOE/CBOELegalRegulatoryHome.aspx*), at the Exchange's Office of the Secretary, and at the Commission's Public Reference Room.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange proposes to introduce a new data product on Cboe to be known as the One-Minute Interval Intraday Open-Close Report, which will be available for purchase to Cboe Trading

[25] In approving this proposed rule change, the Commission has considered the proposed rule's impact on efficiency, competition, and capital formation. *See* 15 U.S.C. 78c(f).

[26] 15 U.S.C. 78*o*–3(b)(6).

[27] *See* letters from Financial Information Forum, dated May 1, 2025 (''FIF Letter''); and from Healthy Markets Association, dated May 2, 2025 (''Healthy Markets Letter'').

[28] FIF Letter at 2.

[29] Healthy Markets Letter at 3 (citing letter from Healthy Markets Association, dated March 31, 2023).

[30] *Id.* at 4.

[31] The proposal would not require non-FINRA member reporting entities, such as national securities exchanges, to provide their Rule 605 Reports to FINRA.

[32] *See* Notice at 15488.

[33] 15 U.S.C. 78*o*–3(b)(6).

[34] 15 U.S.C. 78s(b)(2).

[35] 17 CFR 200.30–3(a)(12).

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] 15 U.S.C. 78s(b)(3)(A)(iii).

[4] 17 CFR 240.19b–4(f)(6).

Permit Holders (''TPHs'') and non-TPHs.[5]

By way of background, the Exchange currently offers End-of-Day (''EOD'') and Intraday Open-Close Data (collectively, ''Open-Close Data''). EOD Open-Close Data is an end-of-day volume summary of trading activity on the Exchange at the option level by origin (customer, professional customer, broker-dealer, and market maker), side of the market (buy or sell), price, and transaction type (opening or closing). The customer and professional customer volume is further broken down into trade size buckets (less than 100 contracts, 100–199 contracts, greater than 199 contracts). The EOD Open-Close Data is proprietary Exchange trade data and does not include trade data from any other exchange. It is also a historical data product and not a real-time data feed. The Exchange also offers Intraday Open-Close Data, which provides similar information to that of EOD Open-Close Data but is produced and updated every 10 minutes during the trading day. Data is captured in ''snapshots'' taken every 10 minutes throughout the trading day and is available to subscribers within five minutes of the conclusion of each 10-minute period.[6] The Intraday Open-Close Data provides a volume summary of trading activity on the Exchange at the option level by origin (customer, professional customer, broker-dealer, and market maker), side of the market (buy or sell), and transaction type (opening or closing). The customer and professional customer volume are further broken down into trade size buckets (less than 100 contracts, 100–199 contracts, greater than 199 contracts). The Intraday Open-Close Data is proprietary Exchange trade data and does not include trade data from any other exchange. All Open-Close Data products are completely voluntary products, in that the Exchange is not required by any rule or regulation to make this data available and that potential customers may purchase it on an ad-hoc basis only if they voluntarily choose to do so.

The Exchange now proposes to offer Intraday Open-Close Data that is the same as the existing Intraday Open-Close Data, except that is produced and updated every minute during the trading day (the ''One-Minute Intraday Open-Close Data''). The One-Minute Intraday Open-Close Data is captured in ''snapshots'' taken every 1 minute throughout the trading day and would be available to subscribers within five minutes of the conclusion of each one-minute period.[7] Similar to the existing Intraday Open-Close Data, the One-Minute Intraday Open-Close Data provides a volume summary of trading activity on the Exchange at the option level by origin (customer, professional customer, broker-dealer, and market maker), side of the market (buy or sell), and transaction type (opening or closing). The customer and professional customer volume are further broken down into trade size buckets (less than 100 contracts, 100–199 contracts, greater than 199 contracts). The One-Minute Intraday Open-Close Data is proprietary Exchange trade data and does not include trade data from any other exchange.

The Exchange anticipates a wide variety of market participants would purchase One-Minute Intraday Open-Close Data, including, but not limited to, individual customers, buy-side investors, and investment banks. The Exchange believes the proposed One-Minute Intraday Open-Close Data may also provide helpful trading information regarding investor sentiment that may allow market participants to make better trading decisions throughout the day and may be used to create and test trading models and analytical strategies and provides comprehensive insight into trading on Cboe. For example, more frequent intraday open data may allow a market participant to identify new interest or possible risk throughout the trading day, while intraday closing data may allow a market participant to identify fading interests in a security. The proposal is a completely voluntary product, in that the Exchange is not required by any rule or regulation to make this data available and that potential subscribers may purchase it only if they voluntarily choose to do so. As described further herein, the Exchange notes that other exchanges offer a similar data product; albeit at a less frequent interval.[8]

The Exchange further notes that the data fields themselves that are provided in the existing Intraday Open-Close Data are the same as the proposed One-Minute Intraday Open-Close Data. The only distinction is that there will be more data reporting intervals provided within the One-Minute Interval Intraday Open-Close Report as the data is delivered based on one-minute intervals as opposed to ten-minute intervals.

2. Statutory Basis

The Exchange believes the proposed rule change is consistent with the Securities Exchange Act of 1934 (the ''Act'') and the rules and regulations thereunder applicable to the Exchange and, in particular, the requirements of Section 6(b) of the Act.[9] Specifically, the Exchange believes the proposed rule change is consistent with the Section 6(b)(5)[10] requirements that the rules of an exchange be designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in regulating, clearing, settling, processing information with respect to, and facilitating transactions in securities, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general, to protect investors and the public interest. Additionally, the Exchange believes the proposed rule change is consistent with the Section 6(b)(5)[11] requirement that the rules of an exchange not be designed to permit unfair discrimination between customers, issuers, brokers, or dealers.

In adopting Regulation NMS, the Commission granted self-regulatory organizations (''SROs'') and broker-dealers increased authority and flexibility to offer new and unique market data to the public. It was believed that this authority would expand the amount of data available to consumers, and also spur innovation and competition for the provision of market data. The Exchange believes that the proposed One-Minute Intraday Open-Close Data would further broaden the availability of U.S. option market data to investors consistent with the

[5] The Exchange intends to submit a separate rule filing to establish fees for the One-Minute Interval Intraday Open-Close Report.

[6] For example, subscribers to the intraday product receive the first calculation of intraday data by approximately 9:42 a.m. ET, which represents data captured from 9:30 a.m. to 9:40 a.m. Subscribers receive the next update at 9:52 a.m., representing the data previously provided together with data captured from 9:40 a.m. through 9:50 a.m., and so forth. Each update represents the aggregate data captured from the current ''snapshot'' and all previous ''snapshots.''

[7] For example, subscribers to the one-minute intraday product would receive the first calculation of intraday data by approximately 9:34 a.m. ET, which represents data captured from 9:30 a.m. to 9:31 a.m. Subscribers will receive the next update at 9:35 a.m., representing the data previously provided together with data captured from 9:31 a.m. through 9:32 a.m., and so forth. Each update will represent the aggregate data captured from the current ''snapshot'' and all previous ''snapshots.'' There may be variability in the time delivered during the day based on market activity; the Exchange expects to deliver this in intervals ranging from 2–5 minutes after the one-minute interval.

[8] *See* Securities Exchange Act Release No. 62887 (September 10, 2010), 75 FR 57092 (September 17, 2010) (SR–Phlx–2010–121); *See also* Securities Exchange Act Release No. 65587 (October 18, 2011), 76 FR 65765 (October 24, 2011) (SR–NASDAQ–2011–144).

[9] 15 U.S.C. 78f(b).

[10] 15 U.S.C. 78f(b)(5).

[11] *Id.*

principles of Regulation NMS. The proposal also promotes increased transparency through the dissemination of One-Minute Intraday Open-Close Data. The proposed rule change would benefit investors by providing access to the One-Minute Intraday Open-Close Data, which as noted above, may promote better informed trading. Particularly, information regarding opening and closing activity across different option series may indicate investor sentiment, which can be helpful trading information. Subscribers to the data may be able to enhance their ability to analyze option trade and volume data on an intraday basis, and create and test trading models and analytical strategies. The Exchange believes One-Minute Intraday Open-Close Data provides a valuable tool that subscribers can use to gain comprehensive insight into the trading activity in a particular series, but also emphasizes such data is not necessary for trading. The Exchange believes that market participants may find it beneficial to receive additional data based on these shorter intervals as opposed to the existing 10-minute intervals provided in the Intraday Open-Close Data. While use cases are the same as the existing 10-minute intervals currently provided, the increased frequency provides more current information and, more data reporting intervals throughout the day to gain knowledge of the trading activity by origin. Of further note, the Exchange has created this proposed new report in response to customer feedback.

Moreover, other exchanges also offer a similar data product.[12] Specifically, NASDAQ OMX PHLX (''PHLX'') and the NASDAQ Stock Market LLC (''NASDAQ'') offer the PHLX Options Trade Outline (''PHOTO'') and NASDAQ Options Trade Outline (''NOTO''), respectively. PHOTO and NOTO provide similar information as that included in the proposed One-Minute Intraday Open-Close Data. Similar to the One-Minute Intraday Open-Close Data, both the PHOTO and NOTO intraday products include periodic, cumulative data for a particular trading session for a particular option series. Both reports include information regarding the aggregate number of trades to open a position, aggregate number of trades to close a position, and the origin of the trades based on the specific categories of market participants (*i.e.,* customers, broker-dealers, market makers, etc.).[13] The primary distinction between these reports is that the proposed One-Minute Interval Intraday Open-Close Report will be provided in one minute intervals as opposed to ten minute intervals.

Further, as mentioned above, the Exchange currently provides an Intraday Open-Close Data that contains the same values, the only distinction is that the proposed product will be provided on a more frequent basis, allowing for subscribing market participants to have more data reporting intervals. While no other exchanges currently offer this data at a one-minute interval, the Exchange believes this is the innovation that and competition that Reg NMS sought to create.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will result in any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. Rather, the Exchange believes that the proposal will promote competition by permitting the Exchange to offer a data product similar to those offered by other competitor options exchanges but contains finer data reporting intervals.[14]

As described above, the proposed One-Minute Interval Intraday Open-Close Report is similar to both the intraday PHOTO and NOTO reports offered, as all three reports provide information regarding the aggregate number of trades to open a position, aggregate number of trades to close a position, and the origin of the trades based on the specific categories of market participants (*i.e.,* customers, broker-dealers, market makers, etc.). However, the proposed report will deliver data on a more frequent basis (based on data captured in one-minute intervals as opposed to ten-minute intervals).

The Exchange is proposing to introduce One-Minute Intraday Open-Close Data in order to keep pace with changes in the industry and evolving customer needs, and believes this proposed rule change would contribute to robust competition among national securities exchanges, by meeting the needs of such customers. The Exchange has received feedback from customers that additional data intervals would be helpful to review. While use cases are the same as the existing 10-minute intervals currently provided, the increased frequency provides more current information and more data reporting intervals throughout the day to gain knowledge of the trading activity by origin.

As a result, the Exchange believes this proposed rule change permits fair competition among national securities exchanges. Therefore, the Exchange does not believe the proposed rule change will result in any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. Furthermore, this product offering is entirely optional and is available to anyone who believes this data will be helpful for their purposes. As such, the Exchange does not believe this proposed rule change places a burden on intramarket competition.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

The Exchange neither solicited nor received comments on the proposed rule change.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Because the foregoing proposed rule change does not:

A. significantly affect the protection of investors or the public interest;

B. impose any significant burden on competition; and

C. become operative for 30 days from the date on which it was filed, or such shorter time as the Commission may designate, it has become effective pursuant to Section 19(b)(3)(A) of the Act[15] and Rule 19b–4(f)(6)[16] thereunder.[17]

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission will institute proceedings 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

[12] *See* supra note 8.

[13] *Id.*

[14] *Id.*

[15] 15 U.S.C. 78s(b)(3)(A).

[16] 17 CFR 240.19b–4(f)(6).

[17] 17 CFR 240.19b–4(f)(6). In addition, Rule 19b–4(f)(6) requires a self-regulatory organization to give the Commission written notice of its intent to file the proposed rule change at least five business days prior to the date of filing of the proposed rule change, or such shorter time as designated by the Commission. The Exchange has satisfied this requirement.

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–CBOE–2025–042 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–CBOE–2025–042. 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–CBOE–2025–042 and should be submitted on or before July 21, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[18]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025–11999 Filed 6–27–25; 8:45 am]

BILLING CODE 8011–01–P

[18] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

Sunshine Act Meetings

TIME AND DATE: 2:00 p.m. on Thursday, July 3, 2025.

PLACE: The meeting will be held via remote means and at the Commission's headquarters, 100 F Street NE, Washington, DC 20549.

STATUS: This meeting will be closed to the public.

MATTERS TO BE CONSIDERED: Commissioners, Counsel to the Commissioners, the Secretary to the Commission, and recording secretaries will attend the closed meeting. Certain staff members who have an interest in the matters also may be present.

In the event that the time, date, or location of this meeting changes, an announcement of the change, along with the new time, date, and/or place of the meeting will be posted on the Commission's website at *https://www.sec.gov.*

The General Counsel of the Commission, or his designee, has certified that, in his opinion, one or more of the exemptions set forth in 5 U.S.C. 552b(c)(3), (5), (6), (7), (8), 9(B) and (10) and 17 CFR 200.402(a)(3), (a)(5), (a)(6), (a)(7), (a)(8), (a)(9)(ii) and (a)(10), permit consideration of the scheduled matters at the closed meeting.

The subject matter of the closed meeting will consist of the following topics:

Institution and settlement of injunctive actions;

Institution and settlement of administrative proceedings;

Resolution of litigation claims; and

Other matters relating to examinations and enforcement proceedings.

At times, changes in Commission priorities require alterations in the scheduling of meeting agenda items that may consist of adjudicatory, examination, litigation, or regulatory matters.

CONTACT PERSON FOR MORE INFORMATION: For further information, please contact Vanessa A. Countryman from the Office of the Secretary at (202) 551–5400.

Authority: 5 U.S.C. 552b.

Dated: June 26, 2025.

Vanessa A. Countryman,

Secretary.

[FR Doc. 2025–12062 Filed 6–26–25; 4:15 pm]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–103322; File No. SR–CboeBZX–2025–079]

Self-Regulatory Organizations; Cboe BZX Exchange, Inc.; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Introduce a One-Minute Interval Intraday Open-Close Report

June 25, 2025.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (the ''Act''),[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on June 13, 2025, Cboe BZX Exchange, Inc. (the ''Exchange'' or ''BZX'') filed with the Securities and Exchange Commission (the ''Commission'') the proposed rule change as described in Items I and II below, which Items have been prepared by the Exchange. The Exchange filed the proposal as a ''non-controversial'' proposed rule change pursuant to Section 19(b)(3)(A)(iii) of the Act[3] and Rule 19b–4(f)(6) thereunder.[4] 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

Cboe BZX Exchange, Inc. (the ''Exchange'' or ''BZX'') proposes to introduce a One-Minute Interval Intraday Open-Close Report.

The text of the proposed rule change is also available on the Exchange's website (*http://markets.cboe.com/us/equities/regulation/rule_filings/bzx/*), at the Exchange's Office of the Secretary, and at the Commission's Public Reference Room.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] 15 U.S.C. 78s(b)(3)(A)(iii).

[4] 17 CFR 240.19b–4(f)(6).

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange proposes to introduce a new data product on BZX to be known as the One-Minute Interval Intraday Open-Close Report, which will be available for purchase to BZX Members (''Members'') and non-Members.[5]

By way of background, the Exchange currently offers End-of-Day (''EOD'') and Intraday Open-Close Data (collectively, ''Open-Close Data''). EOD Open-Close Data is an end-of-day volume summary of trading activity on the Exchange at the option level by origin (customer, professional customer, broker-dealer, and market maker), side of the market (buy or sell), price, and transaction type (opening or closing). The customer and professional customer volume is further broken down into trade size buckets (less than 100 contracts, 100–199 contracts, greater than 199 contracts). The EOD Open-Close Data is proprietary Exchange trade data and does not include trade data from any other exchange. It is also a historical data product and not a real-time data feed. The Exchange also offers Intraday Open-Close Data, which provides similar information to that of EOD Open-Close Data but is produced and updated every 10 minutes during the trading day. Data is captured in ''snapshots'' taken every 10 minutes throughout the trading day and is available to subscribers within five minutes of the conclusion of each 10-minute period.[6] The Intraday Open-Close Data provides a volume summary of trading activity on the Exchange at the option level by origin (customer, professional customer, broker-dealer, and market maker), side of the market (buy or sell), and transaction type (opening or closing). The customer and professional customer volume are further broken down into trade size buckets (less than 100 contracts, 100–199 contracts, greater than 199 contracts). The Intraday Open-Close Data is proprietary Exchange trade data and does not include trade data from any other exchange. All Open-Close Data products are completely voluntary products, in that the Exchange is not required by any rule or regulation to make this data available and that potential customers may purchase it on an ad-hoc basis only if they voluntarily choose to do so.

The Exchange now proposes to offer Intraday Open-Close Data that is the same as the existing Intraday Open-Close Data, except that is produced and updated every minute during the trading day (the ''One-Minute Intraday Open-Close Data''). The One-Minute Intraday Open-Close Data is captured in ''snapshots'' taken every 1 minute throughout the trading day and would be available to subscribers within five minutes of the conclusion of each one-minute period.[7] Similar to the existing Intraday Open-Close Data, the One-Minute Intraday Open-Close Data provides a volume summary of trading activity on the Exchange at the option level by origin (customer, professional customer, broker-dealer, and market maker), side of the market (buy or sell), and transaction type (opening or closing). The customer and professional customer volume are further broken down into trade size buckets (less than 100 contracts, 100–199 contracts, greater than 199 contracts). The One-Minute Intraday Open-Close Data is proprietary Exchange trade data and does not include trade data from any other exchange.

The Exchange anticipates a wide variety of market participants would purchase One-Minute Intraday Open-Close Data, including, but not limited to, individual customers, buy-side investors, and investment banks. The Exchange believes the proposed One-Minute Intraday Open-Close Data may also provide helpful trading information regarding investor sentiment that may allow market participants to make better trading decisions throughout the day and may be used to create and test trading models and analytical strategies and provides comprehensive insight into trading on BZX. For example, more frequent intraday open data may allow a market participant to identify new interest or possible risk throughout the trading day, while intraday closing data may allow a market participant to identify fading interests in a security. The proposal is a completely voluntary product, in that the Exchange is not required by any rule or regulation to make this data available and that potential subscribers may purchase it only if they voluntarily choose to do so. As described further herein, the Exchange notes that other exchanges offer a similar data product; albeit at a less frequent interval.[8]

The Exchange further notes that the data fields themselves that are provided in the existing Intraday Open-Close Data are the same as the proposed One-Minute Intraday Open-Close Data. The only distinction is that there will be more data reporting intervals provided within the One-Minute Interval Intraday Open-Close Report as the data is delivered based on one-minute intervals as opposed to ten-minute intervals.

2. Statutory Basis

The Exchange believes the proposed rule change is consistent with the Securities Exchange Act of 1934 (the ''Act'') and the rules and regulations thereunder applicable to the Exchange and, in particular, the requirements of Section 6(b) of the Act.[9] Specifically, the Exchange believes the proposed rule change is consistent with the Section 6(b)(5)[10] requirements that the rules of an exchange be designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in regulating, clearing, settling, processing information with respect to, and facilitating transactions in securities, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general, to protect investors and the public interest. Additionally, the Exchange believes the proposed rule change is consistent with the Section 6(b)(5)[11] requirement that the rules of an exchange not be designed to permit unfair discrimination between customers, issuers, brokers, or dealers.

In adopting Regulation NMS, the Commission granted self-regulatory organizations (''SROs'') and broker-dealers increased authority and flexibility to offer new and unique

[5] The Exchange intends to submit a separate rule filing to establish fees for the One-Minute Interval Intraday Open-Close Report.

[6] For example, subscribers to the intraday product receive the first calculation of intraday data by approximately 9:42 a.m. ET, which represents data captured from 9:30 a.m. to 9:40 a.m. Subscribers receive the next update at 9:52 a.m., representing the data previously provided together with data captured from 9:40 a.m. through 9:50 a.m., and so forth. Each update represents the aggregate data captured from the current ''snapshot'' and all previous ''snapshots.''

[7] For example, subscribers to the one-minute intraday product would receive the first calculation of intraday data by approximately 9:34 a.m. ET, which represents data captured from 9:30 a.m. to 9:31 a.m. Subscribers will receive the next update at 9:35 a.m., representing the data previously provided together with data captured from 9:31 a.m. through 9:32 a.m., and so forth. Each update will represent the aggregate data captured from the current ''snapshot'' and all previous ''snapshots.'' There may be variability in the time delivered during the day based on market activity; the Exchange expects to deliver this in intervals ranging from 2–5 minutes after the one-minute interval.

[8] *See* Securities Exchange Act Release No. 62887 (September 10, 2010), 75 FR 57092 (September 17, 2010) (SR–Phlx–2010–121); *See also* Securities Exchange Act Release No. 65587 (October 18, 2011), 76 FR 65765 (October 24, 2011) (SR–NASDAQ–2011–144).

[9] 15 U.S.C. 78f(b).

[10] 15 U.S.C. 78f(b)(5).

[11] *Id.*

market data to the public. It was believed that this authority would expand the amount of data available to consumers, and also spur innovation and competition for the provision of market data. The Exchange believes that the proposed One-Minute Intraday Open-Close Data would further broaden the availability of U.S. option market data to investors consistent with the principles of Regulation NMS. The proposal also promotes increased transparency through the dissemination of One-Minute Intraday Open-Close Data. The proposed rule change would benefit investors by providing access to the One-Minute Intraday Open-Close Data, which as noted above, may promote better informed trading. Particularly, information regarding opening and closing activity across different option series may indicate investor sentiment, which can be helpful trading information. Subscribers to the data may be able to enhance their ability to analyze option trade and volume data on an intraday basis, and create and test trading models and analytical strategies. The Exchange believes One-Minute Intraday Open-Close Data provides a valuable tool that subscribers can use to gain comprehensive insight into the trading activity in a particular series, but also emphasizes such data is not necessary for trading. The Exchange believes that market participants may find it beneficial to receive additional data based on these shorter intervals as opposed to the existing 10-minute intervals provided in the Intraday Open-Close Data. While use cases are the same as the existing 10-minute intervals currently provided, the increased frequency provides more current information and, more data reporting intervals throughout the day to gain knowledge of the trading activity by origin. Of further note, the Exchange has created this proposed new report in response to customer feedback.

Moreover, other exchanges also offer a similar data product.[12] Specifically, NASDAQ OMX PHLX (''PHLX'') and the NASDAQ Stock Market LLC (''NASDAQ'') offer the PHLX Options Trade Outline (''PHOTO'') and NASDAQ Options Trade Outline (''NOTO''), respectively. PHOTO and NOTO provide similar information as that included in the proposed One-Minute Intraday Open-Close Data. Similar to the One-Minute Intraday Open-Close Data, both the PHOTO and NOTO intraday products include periodic, cumulative data for a particular trading session for a particular option series. Both reports include information regarding the aggregate number of trades to open a position, aggregate number of trades to close a position, and the origin of the trades based on the specific categories of market participants (*i.e.,* customers, broker-dealers, market makers, etc.).[13] The primary distinction between these reports is that the proposed One-Minute Interval Intraday Open-Close Report will be provided in one minute intervals as opposed to ten minute intervals.

Further, as mentioned above, the Exchange currently provides an Intraday Open-Close Data that contains the same values, the only distinction is that the proposed product will be provided on a more frequent basis, allowing for subscribing market participants to have more data reporting intervals. While no other exchanges currently offer this data at a one-minute interval, the Exchange believes this is the innovation that and competition that Reg NMS sought to create.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will result in any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. Rather, the Exchange believes that the proposal will promote competition by permitting the Exchange to offer a data product similar to those offered by other competitor options exchanges but contains finer data reporting intervals.[14]

As described above, the proposed One-Minute Interval Intraday Open-Close Report is similar to both the intraday PHOTO and NOTO reports offered, as all three reports provide information regarding the aggregate number of trades to open a position, aggregate number of trades to close a position, and the origin of the trades based on the specific categories of market participants (*i.e.,* customers, broker-dealers, market makers, etc.). However, the proposed report will deliver data on a more frequent basis (based on data captured in one-minute intervals as opposed to ten-minute intervals).

The Exchange is proposing to introduce One-Minute Intraday Open-Close Data in order to keep pace with changes in the industry and evolving customer needs, and believes this proposed rule change would contribute to robust competition among national securities exchanges, by meeting the needs of such customers. The Exchange has received feedback from customers that additional data intervals would be helpful to review. While use cases are the same as the existing 10-minute intervals currently provided, the increased frequency provides more current information and more data reporting intervals throughout the day to gain knowledge of the trading activity by origin.

As a result, the Exchange believes this proposed rule change permits fair competition among national securities exchanges. Therefore, the Exchange does not believe the proposed rule change will result in any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. Furthermore, this product offering is entirely optional and is available to anyone who believes this data will be helpful for their purposes. As such, the Exchange does not believe this proposed rule change places a burden on intramarket competition.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

The Exchange neither solicited nor received comments on the proposed rule change.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Because the foregoing proposed rule change does not:

A. significantly affect the protection of investors or the public interest;

B. impose any significant burden on competition; and

C. become operative for 30 days from the date on which it was filed, or such shorter time as the Commission may designate, it has become effective pursuant to Section 19(b)(3)(A) of the Act[15] and Rule 19b–4(f)(6)[16] thereunder.[17]

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the

[12] *See* supra note 8.

[13] *Id.*

[14] *Id.*

[15] 15 U.S.C. 78s(b)(3)(A).

[16] 17 CFR 240.19b–4(f)(6).

[17] 17 CFR 240.19b–4(f)(6). In addition, Rule 19b–4(f)(6) requires a self-regulatory organization to give the Commission written notice of its intent to file the proposed rule change at least five business days prior to the date of filing of the proposed rule change, or such shorter time as designated by the Commission. The Exchange has satisfied this requirement.

Commission will institute proceedings 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–CboeBZX–2025–079 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–CboeBZX–2025–079. 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–CboeBZX–2025–079 and should be submitted on or before July 21, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[18]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025–11998 Filed 6–27–25; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–103324; File No. SR–C2–2025–012]

Self-Regulatory Organizations; Cboe C2 Exchange, Inc.; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Introduce a One-Minute Interval Intraday Open-Close Report

June 25, 2025.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (the ''Act''),[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on June 13, 2025, Cboe C2 Exchange, Inc. (the ''Exchange'' or ''C2'') filed with the Securities and Exchange Commission (the ''Commission'') the proposed rule change as described in Items I and II below, which Items have been prepared by the Exchange. The Exchange filed the proposal as a ''non-controversial'' proposed rule change pursuant to Section 19(b)(3)(A)(iii) of the Act[3] and Rule 19b–4(f)(6) thereunder.[4] 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

Cboe C2 Exchange, Inc. (the ''Exchange'' or ''C2'') proposes to introduce a One-Minute Interval Intraday Open-Close Report.

The text of the proposed rule change is also available on the Exchange's website (*http://markets.cboe.com/us/options/regulation/rule_filings/ctwo/*), at the Exchange's Office of the Secretary, and at the Commission's Public Reference Room.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange proposes to introduce a new data product on C2 to be known as the One-Minute Interval Intraday Open-Close Report, which will be available for purchase to C2 Trading Permit Holders (''TPHs'') and non-TPHs.[5]

By way of background, the Exchange currently offers End-of-Day (''EOD'') and Intraday Open-Close Data (collectively, ''Open-Close Data''). EOD Open-Close Data is an end-of-day volume summary of trading activity on the Exchange at the option level by origin (customer, professional customer, broker-dealer, and market maker), side of the market (buy or sell), price, and transaction type (opening or closing). The customer and professional customer volume is further broken down into trade size buckets (less than 100 contracts, 100–199 contracts, greater than 199 contracts). The EOD Open-Close Data is proprietary Exchange trade data and does not include trade data from any other exchange. It is also a historical data product and not a real-time data feed. The Exchange also offers Intraday Open-Close Data, which provides similar information to that of EOD Open-Close Data but is produced and updated every 10 minutes during the trading day. Data is captured in ''snapshots'' taken every 10 minutes throughout the trading day and is available to subscribers within five minutes of the conclusion of each 10-minute period.[6] The Intraday Open-Close Data provides a volume summary of trading activity on the Exchange at the option level by origin (customer, professional customer, broker-dealer, and market maker), side of the market (buy or sell), and transaction type

[18] 17 CFR 200.30–3(a)(12).

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] 15 U.S.C. 78s(b)(3)(A)(iii).

[4] 17 CFR 240.19b–4(f)(6).

[5] The Exchange intends to submit a separate rule filing to establish fees for the One-Minute Interval Intraday Open-Close Report.

[6] For example, subscribers to the intraday product receive the first calculation of intraday data by approximately 9:42 a.m. ET, which represents data captured from 9:30 a.m. to 9:40 a.m. Subscribers receive the next update at 9:52 a.m., representing the data previously provided together with data captured from 9:40 a.m. through 9:50 a.m., and so forth. Each update represents the aggregate data captured from the current ''snapshot'' and all previous ''snapshots.''

(opening or closing). The customer and professional customer volume are further broken down into trade size buckets (less than 100 contracts, 100–199 contracts, greater than 199 contracts). The Intraday Open-Close Data is proprietary Exchange trade data and does not include trade data from any other exchange. All Open-Close Data products are completely voluntary products, in that the Exchange is not required by any rule or regulation to make this data available and that potential customers may purchase it on an ad-hoc basis only if they voluntarily choose to do so.

The Exchange now proposes to offer Intraday Open-Close Data that is the same as the existing Intraday Open-Close Data, except that is produced and updated every minute during the trading day (the ''One-Minute Intraday Open-Close Data''). The One-Minute Intraday Open-Close Data is captured in ''snapshots'' taken every 1 minute throughout the trading day and would be available to subscribers within five minutes of the conclusion of each one-minute period.[7] Similar to the existing Intraday Open-Close Data, the One-Minute Intraday Open-Close Data provides a volume summary of trading activity on the Exchange at the option level by origin (customer, professional customer, broker-dealer, and market maker), side of the market (buy or sell), and transaction type (opening or closing). The customer and professional customer volume are further broken down into trade size buckets (less than 100 contracts, 100–199 contracts, greater than 199 contracts). The One-Minute Intraday Open-Close Data is proprietary Exchange trade data and does not include trade data from any other exchange.

The Exchange anticipates a wide variety of market participants would purchase One-Minute Intraday Open-Close Data, including, but not limited to, individual customers, buy-side investors, and investment banks. The Exchange believes the proposed One-Minute Intraday Open-Close Data may also provide helpful trading information regarding investor sentiment that may allow market participants to make better trading decisions throughout the day and may be used to create and test trading models and analytical strategies and provides comprehensive insight into trading on C2. For example, more frequent intraday open data may allow a market participant to identify new interest or possible risk throughout the trading day, while intraday closing data may allow a market participant to identify fading interests in a security. The proposal is a completely voluntary product, in that the Exchange is not required by any rule or regulation to make this data available and that potential subscribers may purchase it only if they voluntarily choose to do so. As described further herein, the Exchange notes that other exchanges offer a similar data product; albeit at a less frequent interval.[8]

The Exchange further notes that the data fields themselves that are provided in the existing Intraday Open-Close Data are the same as the proposed One-Minute Intraday Open-Close Data. The only distinction is that there will be more data reporting intervals provided within the One-Minute Interval Intraday Open-Close Report as the data is delivered based on one-minute intervals as opposed to ten-minute intervals.

2. Statutory Basis

The Exchange believes the proposed rule change is consistent with the Securities Exchange Act of 1934 (the ''Act'') and the rules and regulations thereunder applicable to the Exchange and, in particular, the requirements of Section 6(b) of the Act.[9] Specifically, the Exchange believes the proposed rule change is consistent with the Section 6(b)(5)[10] requirements that the rules of an exchange be designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in regulating, clearing, settling, processing information with respect to, and facilitating transactions in securities, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general, to protect investors and the public interest. Additionally, the Exchange believes the proposed rule change is consistent with the Section 6(b)(5)[11] requirement that the rules of an exchange not be designed to permit unfair discrimination between customers, issuers, brokers, or dealers.

In adopting Regulation NMS, the Commission granted self-regulatory organizations (''SROs'') and broker-dealers increased authority and flexibility to offer new and unique market data to the public. It was believed that this authority would expand the amount of data available to consumers, and also spur innovation and competition for the provision of market data. The Exchange believes that the proposed One-Minute Intraday Open-Close Data would further broaden the availability of U.S. option market data to investors consistent with the principles of Regulation NMS. The proposal also promotes increased transparency through the dissemination of One-Minute Intraday Open-Close Data. The proposed rule change would benefit investors by providing access to the One-Minute Intraday Open-Close Data, which as noted above, may promote better informed trading. Particularly, information regarding opening and closing activity across different option series may indicate investor sentiment, which can be helpful trading information. Subscribers to the data may be able to enhance their ability to analyze option trade and volume data on an intraday basis, and create and test trading models and analytical strategies. The Exchange believes One-Minute Intraday Open-Close Data provides a valuable tool that subscribers can use to gain comprehensive insight into the trading activity in a particular series, but also emphasizes such data is not necessary for trading. The Exchange believes that market participants may find it beneficial to receive additional data based on these shorter intervals as opposed to the existing 10-minute intervals provided in the Intraday Open-Close Data. While use cases are the same as the existing 10-minute intervals currently provided, the increased frequency provides more current information and, more data reporting intervals throughout the day to gain knowledge of the trading activity by origin. Of further note, the Exchange has created this proposed new report in response to customer feedback.

Moreover, other exchanges also offer similar data product.[12] Specifically, NASDAQ OMX PHLX (''PHLX'') and the NASDAQ Stock Market LLC (''NASDAQ'') offer the PHLX Options Trade Outline (''PHOTO'') and

[7] For example, subscribers to the one-minute intraday product would receive the first calculation of intraday data by approximately 9:34 a.m. ET, which represents data captured from 9:30 a.m. to 9:31 a.m. Subscribers will receive the next update at 9:35 a.m., representing the data previously provided together with data captured from 9:31 a.m. through 9:32 a.m., and so forth. Each update will represent the aggregate data captured from the current ''snapshot'' and all previous ''snapshots.'' There may be variability in the time delivered during the day based on market activity; the Exchange expects to deliver this in intervals ranging from 2–5 minutes after the one-minute interval.

[8] *See* Securities Exchange Act Release No. 62887 (September 10, 2010), 75 FR 57092 (September 17, 2010) (SR–Phlx–2010–121); *See also* Securities Exchange Act Release No. 65587 (October 18, 2011), 76 FR 65765 (October 24, 2011) (SR–NASDAQ–2011–144).

[9] 15 U.S.C. 78f(b).

[10] 15 U.S.C. 78f(b)(5).

[11] *Id.*

[12] *See* supra note 8.

NASDAQ Options Trade Outline (''NOTO''), respectively. PHOTO and NOTO provide similar information as that included in the proposed One-Minute Intraday Open-Close Data. Similar to the One-Minute Intraday Open-Close Data, both the PHOTO and NOTO intraday products include periodic, cumulative data for a particular trading session for a particular option series. Both reports include information regarding the aggregate number of trades to open a position, aggregate number of trades to close a position, and the origin of the trades based on the specific categories of market participants (*i.e.,* customers, broker-dealers, market makers, etc.).[13] The primary distinction between these reports is that the proposed One-Minute Interval Intraday Open-Close Report will be provided in one minute intervals as opposed to ten minute intervals.

Further, as mentioned above, the Exchange currently provides an Intraday Open-Close Data that contains the same values, the only distinction is that the proposed product will be provided on a more frequent basis, allowing for subscribing market participants to have more data reporting intervals. While no other exchanges currently offer this data at a one-minute interval, the Exchange believes this is the innovation that and competition that Reg NMS sought to create.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will result in any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. Rather, the Exchange believes that the proposal will promote competition by permitting the Exchange to offer a data product similar to those offered by other competitor options exchanges but contains finer data reporting intervals.[14]

As described above, the proposed One-Minute Interval Intraday Open-Close Report is similar to both the intraday PHOTO and NOTO reports offered, as all three reports provide information regarding the aggregate number of trades to open a position, aggregate number of trades to close a position, and the origin of the trades based on the specific categories of market participants (*i.e.,* customers, broker-dealers, market makers, etc.). However, the proposed report will deliver data on a more frequent basis (based on data captured in one-minute intervals as opposed to ten-minute intervals).

The Exchange is proposing to introduce One-Minute Intraday Open-Close Data in order to keep pace with changes in the industry and evolving customer needs, and believes this proposed rule change would contribute to robust competition among national securities exchanges, by meeting the needs of such customers. The Exchange has received feedback from customers that additional data intervals would be helpful to review. While use cases are the same as the existing 10-minute intervals currently provided, the increased frequency provides more current information and more data reporting intervals throughout the day to gain knowledge of the trading activity by origin.

As a result, the Exchange believes this proposed rule change permits fair competition among national securities exchanges. Therefore, the Exchange does not believe the proposed rule change will result in any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. Furthermore, this product offering is entirely optional and is available to anyone who believes this data will be helpful for their purposes. As such, the Exchange does not believe this proposed rule change places a burden on intramarket competition.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

The Exchange neither solicited nor received comments on the proposed rule change.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Because the foregoing proposed rule change does not:

A. significantly affect the protection of investors or the public interest;

B. impose any significant burden on competition; and

C. become operative for 30 days from the date on which it was filed, or such shorter time as the Commission may designate, it has become effective pursuant to Section 19(b)(3)(A) of the Act[15] and Rule 19b–4(f)(6)[16] thereunder.[17]

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission will institute proceedings 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–C2–2025–012 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–C2–2025–012. 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

[13] *Id.*

[14] *Id.*

[15] 15 U.S.C. 78s(b)(3)(A).

[16] 17 CFR 240.19b–4(f)(6).

[17] 17 CFR 240.19b–4(f)(6). In addition, Rule 19b–4(f)(6) requires a self-regulatory organization to give the Commission written notice of its intent to file the proposed rule change at least five business days prior to the date of filing of the proposed rule change, or such shorter time as designated by the Commission. The Exchange has satisfied this requirement.

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–C2–2025–012 and should be submitted on or before July 21, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[18]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025–12000 Filed 6–27–25; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–103326; File No. SR–CboeBZX–2025–050]

Self-Regulatory Organizations; Cboe BZX Exchange, Inc.; Order Instituting Proceedings To Determine Whether To Approve or Disapprove a Proposed Rule Change To Amend the Rules Governing the Listing and Trading of Shares of the Franklin Bitcoin ETF, the Franklin Ethereum ETF, and the Franklin Crypto Index ETF To Permit In-Kind Creations and Redemptions Under Rule 14.11(e)(4) (Commodity-Based Trust Shares)

June 25, 2025.

I. Introduction

On April 2, 2025, Cboe BZX Exchange, Inc. (''BZX'' or ''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 (''Shares'') of the Franklin Bitcoin ETF (''Bitcoin Trust''), the Franklin Ethereum ETF (''ETH Trust''), and the Franklin Crypto Index ETF (''Crypto Index Trust'' and, together with the Bitcoin Trust and the ETH Trust, the ''Trusts'') under BZX Rule 14.11(e)(4). The proposed rule change was published for comment in the **Federal Register** on April 11, 2025.[3]

On May 22, 2025, pursuant to Section 19(b)(2) of the Act,[4] the Commission designated a longer period within which to approve the proposed rule change, disapprove the proposed rule change, or institute proceedings to determine whether to disapprove the proposed rule change.[5] This order institutes proceedings under Section 19(b)(2)(B) of the Act[6] to determine whether to approve or disapprove the proposed rule change.

II. Summary of the Proposal

As described in more detail in the Notice,[7] the Exchange proposes to amend the rules governing the listing and trading of the Shares of the Trusts under BZX Rule 14.11(e)(4).[8] Specifically, the Exchange proposes to amend certain representations regarding the Trusts' creation and redemption processes in order to permit in-kind creations and redemptions. According to the Exchange, except for these proposed amendments, all other representations relied upon by the Commission in approving the listing and trading of the Shares of the Trusts will remain unchanged and will continue to constitute continued listing requirements.

III. Proceedings To Determine Whether To Approve or Disapprove SR–CboeBZX–2025–050 and Grounds for Disapproval Under Consideration

The Commission is instituting proceedings pursuant to Section 19(b)(2)(B) of the Act[9] to determine whether the proposed rule change should be approved or disapproved. Institution of proceedings is appropriate at this time in view of the legal and policy issues raised by the proposed rule change. Institution of proceedings does not indicate that the Commission has reached any conclusions with respect to any of the issues involved. Rather, the Commission seeks and encourages interested persons to provide comments on the proposed rule change.

Pursuant to Section 19(b)(2)(B) of the Act,[10] the Commission is providing notice of the grounds for disapproval under consideration. As described above, the Exchange proposes to allow for in-kind creation and redemption of the Trusts' bitcoin and ether. The Commission is instituting proceedings to allow for additional analysis of the proposed rule change's consistency with Section 6(b)(5) of the Act, which requires, among other things, that the rules of a national securities exchange be designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general, to protect investors and the public interest.[11]

IV. Procedure: Request for Written Comments

The Commission requests that interested persons provide written submissions of their views, data, and arguments with respect to the issues identified above, as well as any other concerns they may have with the proposal. In particular, the Commission invites the written views of interested persons concerning whether the proposal is consistent with Section 6(b)(5) or any other provision of the Act, and the rules and regulations thereunder. Although there do not appear to be any issues relevant to approval or disapproval that would be facilitated by an oral presentation of views, data, and arguments, the Commission will consider, pursuant to Rule 19b–4, any request for an opportunity to make an oral presentation.[12]

Interested persons are invited to submit written data, views, and arguments regarding whether the proposed rule change should be approved or disapproved by July 21, 2025. Any person who wishes to file a rebuttal to any other person's submission must file that rebuttal by August 4, 2025.

[18] 17 CFR 200.30–3(a)(12).

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] *See* Securities Exchange Act Release No. 102776 (Apr. 7, 2025), 90 FR 15499 (''Notice'').

[4] 15 U.S.C. 78s(b)(2).

[5] *See* Securities Exchange Act Release No. 103107, 90 FR 22803 (May 29, 2025). The Commission designated July 10, 2025, as the date by which the Commission shall approve or disapprove, or institute proceedings to determine whether to disapprove, the proposed rule change.

[6] 15 U.S.C. 78s(b)(2)(B).

[7] *See* Notice, *supra* note 3.

[8] BZX Rule 14.11(e)(4) governs the listing and trading of Commodity-Based Trust Shares. The Commission approved the Exchange's proposal to list and trade the Shares of the Bitcoin Trust on January 10, 2024. *See* Securities Exchange Act Release No. 99306 (Jan. 10, 2024), 89 FR 3008 (Jan. 17, 2024). Separately, the Commission approved the Exchange's proposal to list and trade the Shares of the ETH Trust on May 23, 2024. *See* Securities Exchange Act Release No. 100224 (May 23, 2024), 89 FR 46937 (May 30, 2024). The Commission also approved the Exchange's proposal to list and trade the Share of the Crypto Index Trust on December 19, 2024. *See* Securities Exchange Act Release No. 101998 (Dec. 19, 2024), 89 FR 106707 (Dec. 30, 2024).

[9] 15 U.S.C. 78s(b)(2)(B).

[10] *Id.*

[11] 15 U.S.C. 78f(b)(5).

[12] Section 19(b)(2) of the Act, as amended by the Securities Acts Amendments of 1975, Public Law 94–29 (June 4, 1975), grants the Commission flexibility to determine what type of proceeding—either oral or notice and opportunity for written comments—is appropriate for consideration of a particular proposal by a self-regulatory organization. *See* Securities Acts Amendments of 1975, Senate Comm. on Banking, Housing & Urban Affairs, S. Rep. No. 75, 94th Cong., 1st Sess. 30 (1975).

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–CboeBZX–2025–050 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–CboeBZX–2025–050. 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–CboeBZX–2025–050 and should be submitted on or before July 21, 2025 Rebuttal comments should be submitted by August 4, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[13]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025–12002 Filed 6–27–25; 8:45 am]

BILLING CODE 8011–01–P

[13] 17 CFR 200.30–3(a)(57).

SECURITIES AND EXCHANGE COMMISSION

[OMB Control No. 3235–0522]

Proposed Collection; Comment Request; Extension: Rule 701, Exemption for Offers and Sales of Securities Pursuant To Certain Compensatory Benefit Plans and Contracts Relating to Compensation

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 (''Commission'') is soliciting comments on the collection of information summarized below. The Commission plans to submit this existing collection of information to the Office of Management and Budget (''OMB'') for extension and approval.

Rule 701 (17 CFR 230.701) under the Securities Act of 1933 (''Securities Act'') (15 U.S.C. 77a *et seq.*) provides an exemption for certain issuers from the registration requirements of the Securities Act for limited offerings and sales of securities issued under compensatory benefit plans or contracts. The purpose of Rule 701 is to enable issuers that are not reporting companies under the Securities Exchange Act of 1934 to compensate employees and others without registering an offer and sale of securities under the Securities Act, while requiring issuers, as a condition of reliance on the rule, to provide investors with certain information that is important to investment decision making. We estimate that approximately 3,725 issuers annually rely on the Rule 701 exemption and that it takes approximately two hours to prepare each response. We estimate that 25% of the 2 hours per response (0.5 hours) is prepared by the issuer for a total annual burden of 1,863 hours (0.5 hours per response × 3,725 responses). We estimate that 75% of the two hours per response (1.5 hours) is carried by outside professionals retained by the issuer at an estimated cost of $600 per hour, for a total annual cost burden of $3,352,500 (1.5 hours per response × $600 per hour × 3,725 responses annually).

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 proposed 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.

Please direct your written comments on this 60-Day Collection Notice to Austin Gerig, Director/Chief Data Officer, Securities and Exchange Commission, c/o Tanya Ruttenberg via email to *PaperworkReductionAct@sec.gov* by August 29, 2025. There will be a second opportunity to comment on this SEC request following the **Federal Register** publishing a 30-Day Submission Notice.

Dated: June 25, 2025.

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025–12007 Filed 6–27–25; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–103321; File No. SR–CboeEDGX–2025–047]

Self-Regulatory Organizations; Cboe EDGX Exchange, Inc.; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Introduce a One-Minute Interval Intraday Open-Close Report

June 25, 2025.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (the ''Act''),[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on June 13, 2025, Cboe EDGX Exchange, Inc. (the ''Exchange'' or ''EDGX'') filed with the Securities and Exchange Commission (the ''Commission'') the proposed rule change as described in Items I and II below, which Items have been prepared by the Exchange. The Exchange filed the proposal as a ''non-controversial'' proposed rule change pursuant to Section 19(b)(3)(A)(iii) of the Act[3] and Rule 19b–4(f)(6) thereunder.[4] The Commission is publishing this notice to

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] 15 U.S.C. 78s(b)(3)(A)(iii).

[4] 17 CFR 240.19b–4(f)(6).

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

Cboe EDGX Exchange, Inc. (the ''Exchange'' or ''EDGX'') proposes to introduce a One-Minute Interval Intraday Open-Close Report.

The text of the proposed rule change is also available on the Exchange's website (*http://markets.cboe.com/us/options/regulation/rule_filings/edgx/*), at the Exchange's Office of the Secretary, and at the Commission's Public Reference Room.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange proposes to introduce a new data product on EDGX to be known as the One-Minute Interval Intraday Open-Close Report, which will be available for purchase to EDGX Members (''Members'') and non-Members.[5]

By way of background, the Exchange currently offers End-of-Day (''EOD'') and Intraday Open-Close Data (collectively, ''Open-Close Data''). EOD Open-Close Data is an end-of-day volume summary of trading activity on the Exchange at the option level by origin (customer, professional customer, broker-dealer, and market maker), side of the market (buy or sell), price, and transaction type (opening or closing). The customer and professional customer volume is further broken down into trade size buckets (less than 100 contracts, 100–199 contracts, greater than 199 contracts). The EOD Open-Close Data is proprietary Exchange trade data and does not include trade data from any other exchange. It is also a historical data product and not a real-time data feed. The Exchange also offers Intraday Open-Close Data, which provides similar information to that of EOD Open-Close Data but is produced and updated every 10 minutes during the trading day. Data is captured in ''snapshots'' taken every 10 minutes throughout the trading day and is available to subscribers within five minutes of the conclusion of each 10-minute period.[6] The Intraday Open-Close Data provides a volume summary of trading activity on the Exchange at the option level by origin (customer, professional customer, broker-dealer, and market maker), side of the market (buy or sell), and transaction type (opening or closing). The customer and professional customer volume are further broken down into trade size buckets (less than 100 contracts, 100–199 contracts, greater than 199 contracts). The Intraday Open-Close Data is proprietary Exchange trade data and does not include trade data from any other exchange. All Open-Close Data products are completely voluntary products, in that the Exchange is not required by any rule or regulation to make this data available and that potential customers may purchase it on an ad-hoc basis only if they voluntarily choose to do so.

The Exchange now proposes to offer Intraday Open-Close Data that is the same as the existing Intraday Open-Close Data, except that is produced and updated every minute during the trading day (the ''One-Minute Intraday Open-Close Data''). The One-Minute Intraday Open-Close Data is captured in ''snapshots'' taken every 1 minute throughout the trading day and would be available to subscribers within five minutes of the conclusion of each one-minute period.[7] Similar to the existing Intraday Open-Close Data, the One-Minute Intraday Open-Close Data provides a volume summary of trading activity on the Exchange at the option level by origin (customer, professional customer, broker-dealer, and market maker), side of the market (buy or sell), and transaction type (opening or closing). The customer and professional customer volume are further broken down into trade size buckets (less than 100 contracts, 100–199 contracts, greater than 199 contracts). The One-Minute Intraday Open-Close Data is proprietary Exchange trade data and does not include trade data from any other exchange.

The Exchange anticipates a wide variety of market participants would purchase One-Minute Intraday Open-Close Data, including, but not limited to, individual customers, buy-side investors, and investment banks. The Exchange believes the proposed One-Minute Intraday Open-Close Data may also provide helpful trading information regarding investor sentiment that may allow market participants to make better trading decisions throughout the day and may be used to create and test trading models and analytical strategies and provides comprehensive insight into trading on EDGX. For example, more frequent intraday open data may allow a market participant to identify new interest or possible risk throughout the trading day, while intraday closing data may allow a market participant to identify fading interests in a security. The proposal is a completely voluntary product, in that the Exchange is not required by any rule or regulation to make this data available and that potential subscribers may purchase it only if they voluntarily choose to do so. As described further herein, the Exchange notes that other exchanges offer a similar data product; albeit at a less frequent interval.[8]

The Exchange further notes that the data fields themselves that are provided in the existing Intraday Open-Close Data are the same as the proposed One-Minute Intraday Open-Close Data. The only distinction is that there will be more data reporting intervals provided within the One-Minute Interval Intraday Open-Close Report as the data is delivered based on one-minute intervals as opposed to ten-minute intervals.

2. Statutory Basis

The Exchange believes the proposed rule change is consistent with the

[5] The Exchange intends to submit a separate rule filing to establish fees for the One-Minute Interval Intraday Open-Close Report.

[6] For example, subscribers to the intraday product receive the first calculation of intraday data by approximately 9:42 a.m. ET, which represents data captured from 9:30 a.m. to 9:40 a.m. Subscribers receive the next update at 9:52 a.m., representing the data previously provided together with data captured from 9:40 a.m. through 9:50 a.m., and so forth. Each update represents the aggregate data captured from the current ''snapshot'' and all previous ''snapshots.''

[7] For example, subscribers to the one-minute intraday product would receive the first calculation of intraday data by approximately 9:34 a.m. ET, which represents data captured from 9:30 a.m. to 9:31 a.m. Subscribers will receive the next update at 9:35 a.m., representing the data previously provided together with data captured from 9:31 a.m. through 9:32 a.m., and so forth. Each update will represent the aggregate data captured from the current ''snapshot'' and all previous ''snapshots.'' There may be variability in the time delivered during the day based on market activity; the Exchange expects to deliver this in intervals ranging from 2–5 minutes after the one-minute interval..

[8] *See* Securities Exchange Act Release No. 62887 (September 10, 2010), 75 FR 57092 (September 17, 2010) (SR–Phlx–2010–121); *See also* Securities Exchange Act Release No. 65587 (October 18, 2011), 76 FR 65765 (October 24, 2011) (SR–NASDAQ–2011–144).

Securities Exchange Act of 1934 (the ''Act'') and the rules and regulations thereunder applicable to the Exchange and, in particular, the requirements of Section 6(b) of the Act.[9] Specifically, the Exchange believes the proposed rule change is consistent with the Section 6(b)(5)[10] requirements that the rules of an exchange be designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in regulating, clearing, settling, processing information with respect to, and facilitating transactions in securities, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general, to protect investors and the public interest. Additionally, the Exchange believes the proposed rule change is consistent with the Section 6(b)(5)[11] requirement that the rules of an exchange not be designed to permit unfair discrimination between customers, issuers, brokers, or dealers.

In adopting Regulation NMS, the Commission granted self-regulatory organizations (''SROs'') and broker-dealers increased authority and flexibility to offer new and unique market data to the public. It was believed that this authority would expand the amount of data available to consumers, and also spur innovation and competition for the provision of market data. The Exchange believes that the proposed One-Minute Intraday Open-Close Data would further broaden the availability of U.S. option market data to investors consistent with the principles of Regulation NMS. The proposal also promotes increased transparency through the dissemination of One-Minute Intraday Open-Close Data. The proposed rule change would benefit investors by providing access to the One-Minute Intraday Open-Close Data, which as noted above, may promote better informed trading. Particularly, information regarding opening and closing activity across different option series may indicate investor sentiment, which can be helpful trading information. Subscribers to the data may be able to enhance their ability to analyze option trade and volume data on an intraday basis, and create and test trading models and analytical strategies. The Exchange believes One-Minute Intraday Open-Close Data provides a valuable tool that subscribers can use to gain comprehensive insight into the trading activity in a particular series, but also emphasizes such data is not necessary for trading. The Exchange believes that market participants may find it beneficial to receive additional data based on these shorter intervals as opposed to the existing 10-minute intervals provided in the Intraday Open-Close Data. While use cases are the same as the existing 10-minute intervals currently provided, the increased frequency provides more current information and, more data reporting intervals throughout the day to gain knowledge of the trading activity by origin. Of further note, the Exchange has created this proposed new report in response to customer feedback.

Moreover, other exchanges also offer a similar data product.[12] Specifically, NASDAQ OMX PHLX (''PHLX'') and the NASDAQ Stock Market LLC (''NASDAQ'') offer the PHLX Options Trade Outline (''PHOTO'') and NASDAQ Options Trade Outline (''NOTO''), respectively. PHOTO and NOTO provide similar information as that included in the proposed One-Minute Intraday Open-Close Data. Similar to the One-Minute Intraday Open-Close Data, both the PHOTO and NOTO intraday products include periodic, cumulative data for a particular trading session for a particular option series. Both reports include information regarding the aggregate number of trades to open a position, aggregate number of trades to close a position, and the origin of the trades based on the specific categories of market participants (*i.e.,* customers, broker-dealers, market makers, etc.).[13] The primary distinction between these reports is that the proposed One-Minute Interval Intraday Open-Close Report will be provided in one minute intervals as opposed to ten minute intervals.

Further, as mentioned above, the Exchange currently provides an Intraday Open-Close Data that contains the same values, the only distinction is that the proposed product will be provided on a more frequent basis, allowing for subscribing market participants to have more data reporting intervals. While no other exchanges currently offer this data at a one-minute interval, the Exchange believes this is the innovation that and competition that Reg NMS sought to create.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will result in any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. Rather, the Exchange believes that the proposal will promote competition by permitting the Exchange to offer a data product similar to those offered by other competitor options exchanges but contains finer data reporting intervals.[14]

As described above, the proposed One-Minute Interval Intraday Open-Close Report is similar to both the intraday PHOTO and NOTO reports offered, as all three reports provide information regarding the aggregate number of trades to open a position, aggregate number of trades to close a position, and the origin of the trades based on the specific categories of market participants (*i.e.,* customers, broker-dealers, market makers, etc.). However, the proposed report will deliver data on a more frequent basis (based on data captured in one-minute intervals as opposed to ten-minute intervals).

The Exchange is proposing to introduce One-Minute Intraday Open-Close Data in order to keep pace with changes in the industry and evolving customer needs, and believes this proposed rule change would contribute to robust competition among national securities exchanges, by meeting the needs of such customers. The Exchange has received feedback from customers that additional data intervals would be helpful to review. While use cases are the same as the existing 10-minute intervals currently provided, the increased frequency provides more current information and more data reporting intervals throughout the day to gain knowledge of the trading activity by origin.

As a result, the Exchange believes this proposed rule change permits fair competition among national securities exchanges. Therefore, the Exchange does not believe the proposed rule change will result in any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. Furthermore, this product offering is entirely optional and is available to anyone who believes this data will be helpful for their purposes. As such, the Exchange does not believe this proposed rule change places a burden on intramarket competition.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

The Exchange neither solicited nor received comments on the proposed rule change.

[9] 15 U.S.C. 78f(b).

[10] 15 U.S.C. 78f(b)(5).

[11] *Id.*

[12] *See* supra note 8.

[13] *Id.*

[14] *Id.*

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Because the foregoing proposed rule change does not:

A. significantly affect the protection of investors or the public interest;

B. impose any significant burden on competition; and

C. become operative for 30 days from the date on which it was filed, or such shorter time as the Commission may designate, it has become effective pursuant to Section 19(b)(3)(A) of the Act [15] and Rule 19b–4(f)(6) [16] thereunder.[17]

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission will institute proceedings 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–CboeEDGX–2025–047 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–CboeEDGX–2025–047. 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–CboeEDGX–2025–047 and should be submitted on or before July 21, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[18]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025–11997 Filed 6–27–25; 8:45 am]

BILLING CODE 8011–01–P

[15] 15 U.S.C. 78s(b)(3)(A).

[16] 17 CFR 240.19b–4(f)(6).

[17] 17 CFR 240.19b–4(f)(6). In addition, Rule 19b–4(f)(6) requires a self-regulatory organization to give the Commission written notice of its intent to file the proposed rule change at least five business days prior to the date of filing of the proposed rule change, or such shorter time as designated by the Commission. The Exchange has satisfied this requirement.

[18] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[OMB Control No. 3235–0469]

Proposed Collection; Comment Request; Extension: Rule 17Ad–17

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 (''SEC'' or ''Commission'') is soliciting comments on the proposed collection of information. Rule 17Ad–17 (17 CFR 240.17Ad–17) requires certain transfer agents and broker-dealers to make two searches for the correct address of lost securityholders using an information database without charge to the lost securityholders. In addition, paying agents are required to attempt to notify lost payees at least once. In addition, the entities also are required to maintain records relating to the searches and notifications. The Commission staff estimates that the rule applies to approximately 489 broker dealers and transfer agents, and 3,106 paying agent entities, including carrying firms, transfer agents, indenture trustees, custodians, and approximately 10% of issuers. The Commission staff estimates that the total annual burden for searches is approximately 183,813 hours and the total annual burden for paying agent notifications is approximately 38,913 hours. In addition, approximately 5,968 burden hours are associated with recordkeeping, representing an annual burden of 4,411 hours for the broker-dealers and transfer agents, and 1,557 for paying agents. The Commission staff estimates that the aggregate annual burden is therefore approximately 228,694 hours (183,813 + 38,913 + 5,968).

In addition, the Commission staff estimates that covered entities will incur costs of approximately $6,617,298 annually, primarily as payment to third party data base providers that will search for the missing securityholders.

The retention period for the recordkeeping requirement under Rule 17Ad–17 is not less than three years. The recordkeeping requirement under this rule is mandatory to assist the Commission in monitoring compliance with the rule. This rule does not involve the collection of confidential information.

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 proposed collection of information is necessary for the proper performance of the functions of the SEC, including whether the information will have practical utility; (b) the accuracy of the SEC's estimate of the burden imposed by the proposed collection of information, including the validity of the methodology and the assumptions used; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated, electronic collection techniques or other forms of information technology.

Please direct your written comments on this 60-Day Collection Notice to

Austin Gerig, Director/Chief Data Officer, Securities and Exchange Commission, c/o Tanya Ruttenberg via email to *PaperworkReductionAct@sec.gov* by August 29, 2025. There will be a second opportunity to comment on this SEC request following the **Federal Register** publishing a 30-Day Submission Notice.

Dated: June 25, 2025.

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025–12008 Filed 6–27–25; 8:45 am]

BILLING CODE 8011–01–P

SMALL BUSINESS ADMINISTRATION

[Disaster Declaration #21148 and #21149; ILLINOIS Disaster Number IL–20017]

Administrative Declaration of a Disaster for the State of Illinois

AGENCY: U.S. Small Business Administration.

ACTION: Notice.

SUMMARY: This is a notice of an Administrative declaration of a disaster for the State of Illinois dated June 18, 2025.

Incident: Severe Storms and Tornadoes.

DATES: Issued on June 18, 2025.

Incident Period: May 16, 2025.

Physical Loan Application Deadline Date: August 18, 2025.

Economic Injury (EIDL) Loan Application Deadline Date: March 16, 2026.

ADDRESSES: *Visit the MySBA Loan Portal at https://lending.sba.gov* to apply for a disaster assistance loan.

FOR FURTHER INFORMATION CONTACT: Sharon Henderson, Office of Disaster Recovery & Resilience, U.S. Small Business Administration, 409 3rd Street SW, Suite 6050, Washington, DC 20416, (202) 205–6734.

SUPPLEMENTARY INFORMATION: Notice is hereby given that as a result of the Administrator's disaster declaration, applications for disaster loans may be submitted online using the MySBA Loan Portal *https://lending.sba.gov* or other locally announced locations. Please contact the SBA disaster assistance customer service center by email at *disastercustomerservice@sba.gov* or by phone at 1–800–659–2955 for further assistance.

The following areas have been determined to be adversely affected by the disaster:

Primary Counties: Williamson.

Contiguous Counties:

Illinois: Franklin, Jackson, Johnson, Pope, Saline, Union.

The Interest Rates are:

	Percent
For Physical Damage:	
Homeowners with Credit Available Elsewhere	5.625
Homeowners without Credit Available Elsewhere	2.813
Businesses with Credit Available Elsewhere	8.000
Businesses without Credit Available Elsewhere	4.000
Non-Profit Organizations with Credit Available Elsewhere	3.625
Non-Profit Organizations without Credit Available Elsewhere	3.625
For Economic Injury:	
Business and Small Agricultural Cooperatives without Credit Available Elsewhere	4.000
Non-Profit Organizations without Credit Available Elsewhere	3.625

The number assigned to this disaster for physical damage is 21148C and for economic injury is 211490.

The States which received an EIDL Declaration are Illinois.

(Catalog of Federal Domestic Assistance Number 59008)

James Stallings,

Associate Administrator, Office of Disaster Recovery and Resilience.

[FR Doc. 2025–12037 Filed 6–27–25; 8:45 am]

BILLING CODE 8026–09–P

SMALL BUSINESS ADMINISTRATION

Reporting and Recordkeeping Requirements Under OMB Review

AGENCY: Small Business Administration.

ACTION: 30-Day notice.

SUMMARY: The U.S. Small Business Administration (SBA) is seeking approval from the Office of Management and Budget (OMB) for a new information collection described below. In accordance with the Paperwork Reduction Act and OMB procedures, SBA is publishing this notice to allow all interested members of the public an additional 30 days to provide comments on the proposed collection of information.

DATES: Submit comments on or before July 30, 2025.

ADDRESSES: Written comments and recommendations for this information collection request should be sent within 30 days of publication of this notice to *www.reginfo.gov/public/do/PRAMain.* Find this particular information collection request by selecting ''Small Business Administration''; ''Currently Under Review,'' then select the ''Only Show ICR for Public Comment'' checkbox. This information collection can be identified by title and/or OMB Control Number.

FOR FURTHER INFORMATION CONTACT: You may obtain a copy of the information collection and supporting documents from the Agency Clearance Office at *Shauniece.Carter@sba.gov;* (202) 205–6536, or from *www.reginfo.gov/public/do/PRAMain.*

SUPPLEMENTARY INFORMATION: The SBA and other Federal agencies offer financial assistance and special contracting opportunities for business concerns that are small according to size standards found at 13 CFR 121.201. This form provides information about the business being reviewed to determine whether it is eligible for small business programs. The form also collects information to allow SBA to determine whether the business seeking assistance has one or more affiliates, based on the affiliation rules in 13 CFR 121.103 (contracting and development programs) and 121.301 (financial assistance).

Section 8(b)(6) of the Small Business Act authorizes SBA to determine status as a ''small business concern'' for a business seeking assistance under the Act, and 13 CFR 121.1008(c) authorizes SBA to collect information about the business subject to a review. SBA conducts formal size determinations when there is a size protest against an apparent awardee of a Federal solicitation that has been fully or partially restricted to small businesses. See 13 CFR 121.1001 *et seq.* The size determination is conducted by the responsible SBA Government Contracting Area Office. As part of the process of the size determination, the Area Office collects information about the protested firm using SBA Form 355, Information for Small Business Size Determination. SBA Form 355 is electronically fillable and is reviewed by Size Specialists at the various Area Offices. If the information in SBA Form 355 is not collected, then it is not possible for the Area Office to conduct the formal size determination as required under 13 CFR 121.1009. Failing to collect the information described above would impede SBA's ability to complete size determinations for the socioeconomic programs.

This PRA submission is a renewal information collection for SBA Form 355.

Solicitation of Public Comments

Comments may be submitted on (a) whether the collection of information is

necessary for the agency to properly perform its functions; (b) whether the burden estimates are accurate; (c) whether there are ways to minimize the burden, including through the use of automated techniques or other forms of information technology; and (d) whether there are ways to enhance the quality, utility, and clarity of the information.

OMB Control Number: 3245–0101.

Title: Information for Small Business Size Determination.

Description of Respondents: Small Businesses or protested firms.

SBA Form Number: SBA Form 355.

Estimated Number of Respondents: 250.

Estimated Annual Responses: 250.

Estimated Annual Hour Burden: 1,000.

Alethea Ten Eyck-Sanders,

Director, Records and Information Management Branch.

[FR Doc. 2025–12003 Filed 6–27–25; 8:45 am]

BILLING CODE 8026–09–P

SMALL BUSINESS ADMINISTRATION

[Disaster Declaration #21159 and #21160; TENNESSEE Disaster Number TN–20025]

Presidential Declaration of a Major Disaster for Public Assistance Only for the State of Tennessee

AGENCY: U.S. Small Business Administration.

ACTION: Notice.

SUMMARY: This is a Notice of the Presidential declaration of a major disaster for Public Assistance Only for the State of Tennessee (FEMA–4878–DR), dated June 19, 2025.

Incident: Severe Storms, Straight-line Winds, Tornadoes, and Flooding.

DATES: Issued on June 19, 2025.

Incident Period: April 2, 2025 through April 24, 2025.

Physical Loan Application Deadline Date: August 19, 2025.

Economic Injury (EIDL) Loan Application Deadline Date: March 19, 2026.

ADDRESSES: *Visit the MySBA Loan Portal at https://lending.sba.gov* to apply for a disaster assistance loan.

FOR FURTHER INFORMATION CONTACT: Sharon Henderson, Office of Disaster Recovery & Resilience, U.S. Small Business Administration, 409 3rd Street SW, Suite 6050, Washington, DC 20416, (202) 205–6734.

SUPPLEMENTARY INFORMATION: Notice is hereby given that as a result of the President's major disaster declaration on June 19, 2025, Private Non-Profit organizations that provide essential services of a governmental nature may file disaster loan applications online using the MySBA Loan Portal *https://lending.sba.gov* or other locally announced locations. Please contact the SBA disaster assistance customer service center by email at *disastercustomerservice@sba.gov* or by phone at 1–800–659–2955 for further assistance.

The following areas have been determined to be adversely affected by the disaster:

Primary Counties: Cheatham, Davidson, Decatur, Dyer, Fayette, Gibson, Grundy, Hardeman, Hardin, Haywood, Henry, Hickman, Lauderdale, Madison, McNairy, Obion, Perry, Stewart, Tipton.

The Interest Rates are:

	Percent
For Physical Damage:	
Non-Profit Organizations with Credit Available Elsewhere ...	3.625
Non-Profit Organizations without Credit Available Elsewhere	3.625
For Economic Injury:	
Non-Profit Organizations without Credit Available Elsewhere	3.625

The number assigned to this disaster for physical damage is 21159C and for economic injury is 211600.

(Catalog of Federal Domestic Assistance Number 59008)

James Stallings,

Associate Administrator, Office of Disaster Recovery & Resilience.

[FR Doc. 2025–12039 Filed 6–27–25; 8:45 am]

BILLING CODE 8026–09–P

SMALL BUSINESS ADMINISTRATION

[Disaster Declaration #21104 and #21105; MISSISSIPPI Disaster Number MS–20015]

Presidential Declaration Amendment of a Major Disaster for Public Assistance Only for the State of Mississippi

AGENCY: U.S. Small Business Administration.

ACTION: Amendment 2.

SUMMARY: This is an amendment of the Presidential declaration of a major disaster for Public Assistance Only for the State of Mississippi (FEMA–4874–DR), dated May 21, 2025.

Incident: Severe Storms, Straight-line Winds, Tornadoes, and Flooding.

DATES: Issued on June 25, 2025.

Incident Period: March 14, 2025, through March 15, 2025.

Physical Loan Application Deadline Date: July 22, 2025.

Economic Injury (EIDL) Loan Application Deadline Date: February 23, 2026.

ADDRESSES: *Visit the MySBA Loan Portal at https://lending.sba.gov* to apply for a disaster assistance loan.

FOR FURTHER INFORMATION CONTACT: Sharon Henderson, Office of Disaster Recovery & Resilience, U.S. Small Business Administration, 409 3rd Street SW, Suite 6050, Washington, DC 20416, (202) 205–6734.

SUPPLEMENTARY INFORMATION: The notice of the President's major disaster declaration for Private Non-Profit organizations in the State of Mississippi, dated May 21, 2025, is hereby amended to include the following areas as adversely affected by the disaster.

Primary Counties: Montgomery.

All other information in the original declaration remains unchanged.

(Catalog of Federal Domestic Assistance Number 59008)

James Stallings,

Associate Administrator, Office of Disaster Recovery & Resilience.

[FR Doc. 2025–12097 Filed 6–27–25; 8:45 am]

BILLING CODE 8026–09–P

SMALL BUSINESS ADMINISTRATION

[Disaster Declaration #21125 and #21126; MISSOURI Disaster Number MO–20018]

Presidential Declaration Amendment of a Major Disaster for Public Assistance Only for the State of Missouri

AGENCY: U.S. Small Business Administration.

ACTION: Amendment 1.

SUMMARY: This is an amendment of the Presidential declaration of a major disaster for Public Assistance Only for the State of Missouri (FEMA–4872–DR), dated May 21, 2025.

Incident: Severe Storms, Straight-line Winds, Tornadoes, and Flooding.

DATES: Issued on June 25, 2025.

Incident Period: March 30, 2025, through April 8, 2025.

Physical Loan Application Deadline Date: July 22, 2025.

Economic Injury (EIDL) Loan Application Deadline Date: February 23, 2026.

ADDRESSES: *Visit the MySBA Loan Portal at https://lending.sba.gov* to apply for a disaster assistance loan.

FOR FURTHER INFORMATION CONTACT: Sharon Henderson, Office of Disaster Recovery & Resilience, U.S. Small Business Administration, 409 3rd Street

SW, Suite 6050, Washington, DC 20416, (202) 205–6734.

SUPPLEMENTARY INFORMATION: The notice of the President's major disaster declaration for Private Non-Profit organizations in the State of Missouri, dated May 21, 2025, is hereby amended to include the following areas as adversely affected by the disaster.

Primary Counties: Ste. Genevieve.

All other information in the original declaration remains unchanged.

(Catalog of Federal Domestic Assistance Number 59008)

James Stallings,

Associate Administrator, Office of Disaster Recovery & Resilience.

[FR Doc. 2025–12091 Filed 6–27–25; 8:45 am]

BILLING CODE 8026–09–P

DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket No. MARAD–2025–0104]

Request Notice: Use of Foreign-Built Small Passenger Vessel in United States Coastwise Trade, M/V MAXIMIZE

AGENCY: Maritime Administration, DOT.

ACTION: Notice and request for comments.

SUMMARY: The Secretary of Transportation, as represented by the Maritime Administration (MARAD), is authorized to make determinations regarding the coastwise use of foreign built; certain U.S. built; and U.S. and foreign rebuilt vessels that solely carry no more than twelve passengers for hire. MARAD has received such a determination request and is publishing this notice to solicit comments to assist with determining whether the proposed use of the vessel set forth in the request would have an adverse effect on U.S. vessel builders or U.S. coastwise trade businesses that use U.S.-built vessels in those businesses. Information about the requestor's vessel, including a description of the proposed service, is in the **SUPPLEMENTARY INFORMATION** section below.

DATES: Submit comments on or before July 30, 2025.

ADDRESSES: You may submit comments identified by DOT Docket Number MARAD–2025–0104 by any one of the following methods:

- *Federal eRulemaking Portal:* Go to *https://www.regulations.gov.* Search MARAD–2025–0104 and follow the instructions for submitting comments.
- *Mail or Hand Delivery:* Docket Management Facility is in the West Building, Ground Floor of the U.S. Department of Transportation. The Docket Management Facility location address is U.S. Department of Transportation, MARAD–2025–0104, 1200 New Jersey Avenue SE, West Building, Room W12–140, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except on Federal holidays.

Note: If you mail or hand-deliver your comments, we recommend that you include your name and a mailing address, an email address, or a telephone number in the body of your document so that we can contact you if we have questions regarding your submission.

Instructions: All submissions received must include the agency name and specific docket number. All comments received will be posted without change to the docket at *www.regulations.gov,* including any personal information provided. For detailed instructions on submitting comments, or to submit comments that are confidential in nature, see the section entitled Public Participation.

FOR FURTHER INFORMATION CONTACT: Patricia Hagerty, U.S. Department of Transportation, Maritime Administration, 1200 New Jersey Avenue SE, Mail Stop 2, MAR–620, Washington, DC 20590. Telephone: (202) 366–5400. Email: *smallvessels@dot.gov.*

SUPPLEMENTARY INFORMATION: Pursuant to 46 U.S.C. 12121(b), the U.S. Coast Guard may issue a certificate of documentation with a coastwise trade endorsement for eligible, small passenger vessels authorized to carry no more than 12 passengers for hire if the Maritime Administration (MARAD), after notice and an opportunity for public comment, determines the use of the small passenger vessel in the coastwise trade will not adversely affect United States vessel builders or the coastwise trade business of any person that employs vessels built in the United States in that business.[1]

MARAD has received an eligibility determination request. Further details about the requester's vessel and its proposed operations may be found in the determination request posted in the DOT docket as MARAD–2025–0104 at *https://www.regulations.gov.* Interested parties may comment on the undue adverse effect this action may have on U.S. vessel builders or coastwise trade businesses in the U.S. that employ U.S.-built vessels in those businesses. Comments should refer to the vessel name, state the commenter's interest in the request, and demonstrate, with supporting documentation, the undue adverse effect on U.S. vessel builders and coastwise trade businesses.

[1] The U.S. Coast Guard and MARAD have authority under 46 U.S.C. 12121(b) through the Secretary of the Department of Homeland Security and the Secretary of the Department of Transportation, respectively.

Public Participation

How do I submit comments?

Please submit comments, including the attachments, following the instructions provided under the above heading entitled **ADDRESSES**. It may take a few hours or even days for comments to be reflected on the docket. Comments must be written in English. Provide concise comments and attach additional documents as necessary. There is no limit on the length of the attachments.

Where do I go to read public comments, and find supporting information?

The docket online is located at *https://www.regulations.gov,* keyword search MARAD–2025–0104 or visit the Docket Management Facility (see **ADDRESSES** for hours of operation). Please periodically check the Docket for new submissions and supporting material.

Will my comments be made available to the public?

Yes. Your entire comment, including your personal identifying information, will be made publicly available.

May I submit comments confidentially?

You may request that MARAD treat your comments as commercially confidential by submitting them to *SmallVessels@dot.gov.* Include in the email subject heading ''Contains Confidential Commercial Information'' or ''Contains CCI'' and state in your submission, with specificity, the basis for any such confidential treatment highlighting the CCI portions. If possible, please provide a summary of your submission that can be made available to the public.

If MARAD receives a Freedom of Information Act (FOIA) request for the information, procedures described in the Department's FOIA regulation at 49 CFR 7.29 will be followed. Only information that is ultimately determined to be confidential under those procedures will be exempt from disclosure under FOIA.

Privacy Act

Anyone can search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor

union, etc.). For information on DOT's compliance with the Privacy Act, please visit *https://www.transportation.gov/privacy.*

(Authority: 49 CFR 1.93(a), 46 U.S.C. 12121)

By Order of the Maritime Administration.

T. Mitchell Hudson, Jr.,

Secretary, Maritime Administration.

[FR Doc. 2025–11995 Filed 6–27–25; 8:45 am]

BILLING CODE 4910–81–P

DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket No. MARAD–2025–0102]

Request Notice: Use of Foreign-built Small Passenger Vessel in United States Coastwise Trade, S/V DREAM

AGENCY: Maritime Administration, DOT.

ACTION: Notice and request for comments.

SUMMARY: The Secretary of Transportation, as represented by the Maritime Administration (MARAD), is authorized to make determinations regarding the coastwise use of foreign built; certain U.S. built; and U.S. and foreign rebuilt vessels that solely carry no more than twelve passengers for hire. MARAD has received such a determination request and is publishing this notice to solicit comments to assist with determining whether the proposed use of the vessel set forth in the request would have an adverse effect on U.S. vessel builders or U.S. coastwise trade businesses that use U.S.-built vessels in those businesses. Information about the requestor's vessel, including a description of the proposed service, is in the **SUPPLEMENTARY INFORMATION** section below.

DATES: Submit comments on or before July 30, 2025.

ADDRESSES: You may submit comments identified by DOT Docket Number MARAD–2025–0102 by any one of the following methods:

- *Federal eRulemaking Portal:* Go to *https://www.regulations.gov.* Search MARAD–2025–0102 and follow the instructions for submitting comments.
- *Mail or Hand Delivery:* Docket Management Facility is in the West Building, Ground Floor of the U.S. Department of Transportation. The Docket Management Facility location address is U.S. Department of Transportation, MARAD–2025–0102, 1200 New Jersey Avenue SE, West Building, Room W12–140, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except on Federal holidays.

Note: If you mail or hand-deliver your comments, we recommend that you include your name and a mailing address, an email address, or a telephone number in the body of your document so that we can contact you if we have questions regarding your submission.

Instructions: All submissions received must include the agency name and specific docket number. All comments received will be posted without change to the docket at *www.regulations.gov,* including any personal information provided. For detailed instructions on submitting comments, or to submit comments that are confidential in nature, see the section entitled Public Participation.

FOR FURTHER INFORMATION CONTACT: Patricia Hagerty, U.S. Department of Transportation, Maritime Administration, 1200 New Jersey Avenue SE, Mail Stop 2, MAR–620, Washington, DC 20590. Telephone: (202) 366–5400. Email: *smallvessels@dot.gov*.

SUPPLEMENTARY INFORMATION: Pursuant to 46 U.S.C. 12121(b), the U.S. Coast Guard may issue a certificate of documentation with a coastwise trade endorsement for eligible, small passenger vessels authorized to carry no more than 12 passengers for hire if the Maritime Administration (MARAD), after notice and an opportunity for public comment, determines the use of the small passenger vessel in the coastwise trade will not adversely affect United States vessel builders or the coastwise trade business of any person that employs vessels built in the United States in that business.[1]

MARAD has received an eligibility determination request. Further details about the requester's vessel and its proposed operations may be found in the determination request posted in the DOT docket as MARAD–2025–0102 at *https://www.regulations.gov.* Interested parties may comment on the undue adverse effect this action may have on U.S. vessel builders or coastwise trade businesses in the U.S. that employ U.S.-built vessels in those businesses. Comments should refer to the vessel name, state the commenter's interest in the request, and demonstrate, with supporting documentation, the undue adverse effect on U.S. vessel builders and coastwise trade businesses.

[1] The U.S. Coast Guard and MARAD have authority under 46 U.S.C. 12121(b) through the Secretary of the Department of Homeland Security and the Secretary of the Department of Transportation, respectively.

Public Participation

How do I submit comments?

Please submit comments, including the attachments, following the instructions provided under the above heading entitled **ADDRESSES**. It may take a few hours or even days for comments to be reflected on the docket. Comments must be written in English. Provide concise comments and attach additional documents as necessary. There is no limit on the length of the attachments.

Where do I go to read public comments, and find supporting information?

The docket online is located at *https://www.regulations.gov,* keyword search MARAD–2025–0102 or visit the Docket Management Facility (see **ADDRESSES** for hours of operation). Please periodically check the Docket for new submissions and supporting material.

Will my comments be made available to the public?

Yes. Your entire comment, including your personal identifying information, will be made publicly available.

May I submit comments confidentially?

You may request that MARAD treat your comments as commercially confidential by submitting them to *SmallVessels@dot.gov.* Include in the email subject heading ''Contains Confidential Commercial Information'' or ''Contains CCI'' and state in your submission, with specificity, the basis for any such confidential treatment highlighting the CCI portions. If possible, please provide a summary of your submission that can be made available to the public.

If MARAD receives a Freedom of Information Act (FOIA) request for the information, procedures described in the Department's FOIA regulation at 49 CFR 7.29 will be followed. Only information that is ultimately determined to be confidential under those procedures will be exempt from disclosure under FOIA.

Privacy Act

Anyone can search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). For information on DOT's compliance with the Privacy Act, please visit *https://www.transportation.gov/privacy.*

(Authority: 49 CFR 1.93(a), 46 U.S.C. 12121)

By Order of the Maritime Administration.

T. Mitchell Hudson, Jr.,

Secretary, Maritime Administration.

[FR Doc. 2025–11992 Filed 6–27–25; 8:45 am]

BILLING CODE 4910–81–P

DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket No. MARAD–2025–0105]

Request Notice: Use of Foreign-Built Small Passenger Vessel in United States Coastwise Trade, M/V WE DID IT!

AGENCY: Maritime Administration, DOT.

ACTION: Notice and request for comments.

SUMMARY: The Secretary of Transportation, as represented by the Maritime Administration (MARAD), is authorized to make determinations regarding the coastwise use of foreign built; certain U.S. built; and U.S. and foreign rebuilt vessels that solely carry no more than twelve passengers for hire. MARAD has received such a determination request and is publishing this notice to solicit comments to assist with determining whether the proposed use of the vessel set forth in the request would have an adverse effect on U.S. vessel builders or U.S. coastwise trade businesses that use U.S.-built vessels in those businesses. Information about the requestor's vessel, including a description of the proposed service, is in the **SUPPLEMENTARY INFORMATION** section below.

DATES: Submit comments on or before July 30, 2025.

ADDRESSES: You may submit comments identified by DOT Docket Number MARAD–2025–0105 by any one of the following methods:

- *Federal eRulemaking Portal:* Go to *https://www.regulations.gov.* Search MARAD–2025–0105 and follow the instructions for submitting comments.
- *Mail or Hand Delivery:* Docket Management Facility is in the West Building, Ground Floor of the U.S. Department of Transportation. The Docket Management Facility location address is U.S. Department of Transportation, MARAD–2025–0105, 1200 New Jersey Avenue SE, West Building, Room W12–140, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except on Federal holidays.

Note: If you mail or hand-deliver your comments, we recommend that you include your name and a mailing address, an email address, or a telephone number in the body of your document so that we can contact you if we have questions regarding your submission.

Instructions: All submissions received must include the agency name and specific docket number. All comments received will be posted without change to the docket at *www.regulations.gov,* including any personal information provided. For detailed instructions on submitting comments, or to submit comments that are confidential in nature, see the section entitled Public Participation.

FOR FURTHER INFORMATION CONTACT: Patricia Hagerty, U.S. Department of Transportation, Maritime Administration, 1200 New Jersey Avenue SE, Mail Stop 2, MAR–620, Washington, DC 20590. Telephone: (202) 366–5400. Email: *smallvessels@dot.gov.*

SUPPLEMENTARY INFORMATION: Pursuant to 46 U.S.C. 12121(b), the U.S. Coast Guard may issue a certificate of documentation with a coastwise trade endorsement for eligible, small passenger vessels authorized to carry no more than 12 passengers for hire if the Maritime Administration (MARAD), after notice and an opportunity for public comment, determines the use of the small passenger vessel in the coastwise trade will not adversely affect United States vessel builders or the coastwise trade business of any person that employs vessels built in the United States in that business.[1]

MARAD has received an eligibility determination request. Further details about the requester's vessel and its proposed operations may be found in the determination request posted in the DOT docket as MARAD–2025–0105 at *https://www.regulations.gov.* Interested parties may comment on the undue adverse effect this action may have on U.S. vessel builders or coastwise trade businesses in the U.S. that employ U.S.-built vessels in those businesses. Comments should refer to the vessel name, state the commenter's interest in the request, and demonstrate, with supporting documentation, the undue adverse effect on U.S. vessel builders and coastwise trade businesses.

Public Participation

How do I submit comments?

Please submit comments, including the attachments, following the instructions provided under the above heading entitled **ADDRESSES**. It may take a few hours or even days for comments to be reflected on the docket. Comments must be written in English. Provide concise comments and attach additional documents as necessary. There is no limit on the length of the attachments.

Where do I go to read public comments, and find supporting information?

The docket online is located at *https://www.regulations.gov,* keyword search MARAD–2025–0105 or visit the Docket Management Facility (see **ADDRESSES** for hours of operation). Please periodically check the Docket for new submissions and supporting material.

Will my comments be made available to the public?

Yes. Your entire comment, including your personal identifying information, will be made publicly available.

May I submit comments confidentially?

You may request that MARAD treat your comments as commercially confidential by submitting them to *SmallVessels@dot.gov.* Include in the email subject heading ''Contains Confidential Commercial Information'' or ''Contains CCI'' and state in your submission, with specificity, the basis for any such confidential treatment highlighting the CCI portions. If possible, please provide a summary of your submission that can be made available to the public.

If MARAD receives a Freedom of Information Act (FOIA) request for the information, procedures described in the Department's FOIA regulation at 49 CFR 7.29 will be followed. Only information that is ultimately determined to be confidential under those procedures will be exempt from disclosure under FOIA.

Privacy Act

Anyone can search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). For information on DOT's compliance with the Privacy Act, please visit *https://www.transportation.gov/privacy.*

(Authority: 49 CFR 1.93(a), 46 U.S.C. 12121)

By Order of the Maritime Administration.

T. Mitchell Hudson, Jr.,

Secretary, Maritime Administration.

[FR Doc. 2025–11987 Filed 6–27–25; 8:45 am]

BILLING CODE 4910–81–P

[1] The U.S. Coast Guard and MARAD have authority under 46 U.S.C. 12121(b) through the Secretary of the Department of Homeland Security and the Secretary of the Department of Transportation, respectively.

DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket No. MARAD–2025–0103]

Request Notice: Use of Foreign-Built Small Passenger Vessel in United States Coastwise Trade, S/V DREAM WEAVER

AGENCY: Maritime Administration, DOT.

ACTION: Notice and request for comments.

SUMMARY: The Secretary of Transportation, as represented by the Maritime Administration (MARAD), is authorized to make determinations regarding the coastwise use of foreign built; certain U.S. built; and U.S. and foreign rebuilt vessels that solely carry no more than twelve passengers for hire. MARAD has received such a determination request and is publishing this notice to solicit comments to assist with determining whether the proposed use of the vessel set forth in the request would have an adverse effect on U.S. vessel builders or U.S. coastwise trade businesses that use U.S.-built vessels in those businesses. Information about the requestor's vessel, including a description of the proposed service, is in the **SUPPLEMENTARY INFORMATION** section below.

DATES: Submit comments on or before July 30, 2025.

ADDRESSES: You may submit comments identified by DOT Docket Number MARAD–2025–0103 by any one of the following methods:

- *Federal eRulemaking Portal:* Go to *https://www.regulations.gov.* Search MARAD–2025–0103 and follow the instructions for submitting comments.
- *Mail or Hand Delivery:* Docket Management Facility is in the West Building, Ground Floor of the U.S. Department of Transportation. The Docket Management Facility location address is U.S. Department of Transportation, MARAD–2025–0103, 1200 New Jersey Avenue SE, West Building, Room W12–140, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except on Federal holidays.

Note: If you mail or hand-deliver your comments, we recommend that you include your name and a mailing address, an email address, or a telephone number in the body of your document so that we can contact you if we have questions regarding your submission.

Instructions: All submissions received must include the agency name and specific docket number. All comments received will be posted without change to the docket at *www.regulations.gov,* including any personal information provided. For detailed instructions on submitting comments, or to submit comments that are confidential in nature, see the section entitled Public Participation.

FOR FURTHER INFORMATION CONTACT: Patricia Hagerty, U.S. Department of Transportation, Maritime Administration, 1200 New Jersey Avenue SE, Mail Stop 2, MAR–620, Washington, DC 20590. Telephone: (202) 366–5400. Email: *smallvessels@dot.gov.*

SUPPLEMENTARY INFORMATION: Pursuant to 46 U.S.C. 12121(b), the U.S. Coast Guard may issue a certificate of documentation with a coastwise trade endorsement for eligible, small passenger vessels authorized to carry no more than 12 passengers for hire if the Maritime Administration (MARAD), after notice and an opportunity for public comment, determines the use of the small passenger vessel in the coastwise trade will not adversely affect United States vessel builders or the coastwise trade business of any person that employs vessels built in the United States in that business.[1]

MARAD has received an eligibility determination request. Further details about the requester's vessel and its proposed operations may be found in the determination request posted in the DOT docket as MARAD–2025–0103 at *https://www.regulations.gov.* Interested parties may comment on the undue adverse effect this action may have on U.S. vessel builders or coastwise trade businesses in the U.S. that employ U.S.-built vessels in those businesses. Comments should refer to the vessel name, state the commenter's interest in the request, and demonstrate, with supporting documentation, the undue adverse effect on U.S. vessel builders and coastwise trade businesses.

Public Participation

How do I submit comments?

Please submit comments, including the attachments, following the instructions provided under the above heading entitled **ADDRESSES**. It may take a few hours or even days for comments to be reflected on the docket. Comments must be written in English. Provide concise comments and attach additional documents as necessary. There is no limit on the length of the attachments.

Where do I go to read public comments, and find supporting information?

The docket online is located at *https://www.regulations.gov,* keyword search MARAD–2025–0103 or visit the Docket Management Facility (see **ADDRESSES** for hours of operation). Please periodically check the Docket for new submissions and supporting material.

Will my comments be made available to the public?

Yes. Your entire comment, including your personal identifying information, will be made publicly available.

May I submit comments confidentially?

You may request that MARAD treat your comments as commercially confidential by submitting them to *SmallVessels@dot.gov.* Include in the email subject heading ''Contains Confidential Commercial Information'' or ''Contains CCI'' and state in your submission, with specificity, the basis for any such confidential treatment highlighting the CCI portions. If possible, please provide a summary of your submission that can be made available to the public.

If MARAD receives a Freedom of Information Act (FOIA) request for the information, procedures described in the Department's FOIA regulation at 49 CFR 7.29 will be followed. Only information that is ultimately determined to be confidential under those procedures will be exempt from disclosure under FOIA.

Privacy Act

Anyone can search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). For information on DOT's compliance with the Privacy Act, please visit *https://www.transportation.gov/privacy.*

(Authority: 49 CFR 1.93(a), 46 U.S.C. 12121)

By Order of the Maritime Administration.

T. Mitchell Hudson, Jr.,

Secretary, Maritime Administration.

[FR Doc. 2025–11989 Filed 6–27–25; 8:45 am]

BILLING CODE 4910–81–P

[1] The U.S. Coast Guard and MARAD have authority under 46 U.S.C. 12121(b) through the Secretary of the Department of Homeland Security and the Secretary of the Department of Transportation, respectively.

DEPARTMENT OF TRANSPORTATION

Office of the Secretary

[Docket No. DOT–OST–2025–0139]

United States Department of Transportation Advisory Board; Public Meeting

AGENCY: Office of the Secretary (OST), Department of Transportation (DOT).

ACTION: Notice of public meeting.

SUMMARY: The Office of the Secretary of Transportation (OST) announces a public meeting of the United States Department of Transportation Advisory Board (U.S. DOT Advisory Board) on Wednesday, July 16, 2025. This notice announces the date, time, and location of the meeting, which will be open to the public virtually. The purpose of the U.S. DOT Advisory Board is to provide strategic vision and high-level guidance to modernize and enhance the United States transportation systems.

DATES: This meeting will be held on Wednesday, July 16, 2025, beginning at 2:00 p.m. Eastern Time (ET). The exact start time is subject to change; please monitor *www.transportation.gov/USDOTAdvisoryBoard* for the most up-to-date information and to access the link for live viewing of the meeting.

ADDRESSES: The U.S. DOT Advisory Board members will be meeting in-person at the White House. The public may attend the meeting virtually, with information available on the U.S. DOT Advisory Board website (*www.transportation.gov/USDOTAdvisoryBoard*) in advance of the meeting date.

FOR FURTHER INFORMATION CONTACT: U.S. DOT Advisory Board Designated Federal Officer, c/o Juli Huynh—Director, Office of Policy Coordination and Development, Office of the Secretary, *DOTAdvisoryBoard@dot.gov* or (202) 366–2278.

SUPPLEMENTARY INFORMATION:

I. Background

The U.S. Secretary of Transportation (Secretary) established the U.S. DOT Advisory Board as a Federal Advisory Committee in accordance with the Federal Advisory Committee Act (Pub. L. 92–463, 5 U.S.C. Ch. 10) to provide strategic vision and high-level guidance to modernize and enhance the United States transportation systems.

The U.S. DOT Advisory Board will be dedicated to: (1) developing strategic recommendations for infrastructure modernization and expansion; (2) identifying key investment opportunities in transportation technology and innovation; (3) providing insights into regulatory and policy improvements to enhance efficiency and reduce bureaucratic obstacles; and (4) advising on public-private partnerships to maximize funding and impact.

II. Agenda

At the meeting, the agenda will cover the following topics:

1. Call to Order, Official Statement of the Designated Federal Officer, Meeting Logistics
2. Opening Remarks
3. Member Introductions
4. Committee Business
5. Recap of Meeting Progress and Review of Next Steps

III. Public Participation

The meeting will be open to the public via livestream. Members of the public who wish to observe the virtual meeting can access the livestream accessible on the following website: *www.transportation.gov/USDOTAdvisoryBoard.*

Members of the public may also submit written materials, questions, and comments to the Committee in advance to the individual listed in the **FOR FURTHER INFORMATION CONTACT** section of this notice no later than Wednesday, July 9, 2025.

All advance submissions will be reviewed by the Designated Federal Officer. If approved, advance submissions shall be circulated to the U.S. DOT Advisory Board members for review prior to the meeting. All advance submissions will become part of the official record of the meeting.

Authority: The Committee is a discretionary Committee under the authority of the U.S. Department of Transportation (U.S. DOT), established in accordance with the provisions of the Federal Advisory Committee Act (FACA), as amended, 5 U.S.C. Ch. 10.

Loren A. Smith, Jr.,

Deputy Assistant Secretary for Transportation Policy.

[FR Doc. 2025–12022 Filed 6–27–25; 8:45 am]

BILLING CODE 4910–9X–P

DEPARTMENT OF THE TREASURY

Office of the Comptroller of the Currency

Agency Information Collection Activities: Information Collection Renewal; Comment Request; Disclosure and Reporting of CRA-Related Agreements

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, ''Disclosure and Reporting of CRA-Related Agreements.''

DATES: Comments must be received by August 29, 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: 1557–0219, 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 ''1557–0219'' 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 ''1557–0219'' or ''Disclosure and Reporting of CRA-Related Agreements.'' 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/revision of this collection.

Title: Disclosure and Reporting of CRA-Related Agreements.

OMB Control No.: 1557–0219.

Type of Review: Regular.

Affected Public: Businesses or other for-profit.

Description: National banks, Federal savings associations, and their affiliates occasionally enter into agreements with nongovernmental entities or persons (NGEPs) that are related to their Community Reinvestment Act (CRA) responsibilities. Section 48 of the Federal Deposit Insurance Act (FDI Act) requires disclosure of certain of these agreements and imposes related reporting requirements on insured depository institutions (IDIs), their affiliates, and NGEPs.[1]

Section 48 of the FDI Act generally applies to written agreements that: (1) are made pursuant to, or in connection with, the fulfillment of the CRA; (2) involve funds or other resources of an IDI or affiliate with an aggregate value of more than $10,000 in a year or loans with an aggregate principal value of more than $50,000 in a year; [2] and (3) are entered into by an IDI or affiliate and an NGEP.[3]

Under section 48, the parties to a covered agreement must make the covered agreement available to the public and the appropriate Federal banking agency.[4] This section also requires the parties to file a report annually with the appropriate Federal banking agency concerning the disbursement, receipt, and use of funds or other resources under the agreement.[5]

As mandated by the FDI Act, the OCC, the Federal Deposit Insurance Corporation, and the Board of Governors of the Federal Reserve System issued regulations to implement section 48. The OCC's regulation, codified at 12 CFR 35, is known as the ''CRA Sunshine'' regulation. The disclosure and reporting provisions of this regulation, which are collections of information under the PRA, implement the statutorily mandated disclosure and reporting requirements.

The information collections are found in 12 CFR 35.4(b); 35.6; and 35.7, and they require:

• IDIs or affiliates to notify each NGEP that is a party to a covered agreement that the agreement concerns a CRA affiliate;

• NGEPs and IDIs or affiliates to make a copy of a covered agreement available to any individual or entity upon request;

• NGEPs that are a party to a covered agreement to provide a copy of the agreement within 30 days of receiving a request from the relevant supervisory agency;

• Each IDI and affiliate to provide each relevant supervisory agency with a copy of each covered agreement or a list of all covered agreements entered into during a calendar quarter within 60 days of the end of the calendar quarter; [6] and

• Annual reporting by NGEPs, IDIs or affiliates concerning the disbursement, receipt, and uses of funds under each covered agreement.

The parties to a covered agreement may request confidential treatment of proprietary and confidential information in a covered agreement or annual report and may withhold from public disclosure confidential or proprietary information in a covered agreement.[7]

Estimated Burden

Estimated Frequency of Response: On occasion.

Estimated Number of Respondents: 8.

Estimated Total Annual Burden: 369 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. 2025–11985 Filed 6–27–25; 8:45 am]

BILLING CODE P

[1] 12 U.S.C. 1831y.

[2] The definition includes groups of substantially related agreements that satisfy these amounts in the aggregate.

[3] 12 U.S.C. 1831y(e). The statutory definition of ''agreement'' excludes any agreement entered into with an NGEP ''who has not commented on, testified about, or discussed with the institution, or otherwise contacted the institution, concerning the [CRA].'' *Id.*

[4] 12 U.S.C. 1831y(a).

[5] 12 U.S.C. 1831y(b)–(c).

[6] If providing a list of covered agreements, the IDI or affiliate must provide a copy and public version of any agreement referenced in the list to any relevant supervisory agency within seven calendar days of receiving a request from the agency.

[7] 12 CFR 35.6(b)(2), 35.8; see 12 U.S.C. 1831y(h)(2)(A).

DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900–0055]

Agency Information Collection Activity: Request for Determination of Loan Guaranty Eligibility—Unmarried Surviving Spouses

AGENCY: Veterans Benefits Administration, Department of Veterans Affairs.

ACTION: Notice.

SUMMARY: Veterans Benefits Administration, Department of Veterans Affairs (VA), is announcing an opportunity for public comment on the proposed collection of certain information by the agency. Under the Paperwork Reduction Act (PRA) of 1995, Federal agencies are required to publish notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension of a currently approved collection, and allow 60 days for public comment in response to the notice.

DATES: Written comments and recommendations on the proposed collection of information should be received on or before August 29, 2025.

ADDRESSES: Comments must be submitted through *www.regulations.gov.*

FOR FURTHER INFORMATION CONTACT:

Program-Specific information: Kendra McCleave, 202–461–9568, *Kendra.McCleave@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: VA Form 26–1817, Request for Determination of Loan Guaranty Eligibility—Unmarried Surviving Spouses.

OMB Control Number: 2900–0055. 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: The VA Form 26–1817 is submitted by an unmarried surviving spouse of a veteran whose death was service-connected for determination of eligibility for VA home loan benefits as authorized by 38 U.S.C. 3701(b)(2). Serves to record application and internal VA processing of request including verification on veterans service-connected death and status of applicant as unmarried surviving spouse. In addition, adjustments were made to the burden hours from the previous submission. The change reflects a correction to a previous estimate. The adjustments is attributed to a higher number of respondent applications, likely due to an increase in VA home loan benefit among the surviving spouses.

Affected Public: Individuals and households.

Estimated Annual Burden: 3,125 hours.

Estimated Average Burden per Respondent: 15 minutes.

Frequency of Response: One Time.

Estimated Number of Respondents: 12,500.

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. 2025–12012 Filed 6–27–25; 8:45 am]

BILLING CODE 8320–01–P

DEPARTMENT OF VETERANS AFFAIRS

Notice of Department of Veterans Affairs Implementation of Law Concerning Changes to Policies and Guidance Affecting the Educational Assistance Programs of the Department

AGENCY: Department of Veterans Affairs.

ACTION: Notice of Changes to Department of Veterans Affairs Policies and Guidance Affecting the Educational Assistance Programs of the Department.

SUMMARY: The Department of Veterans Affairs (VA) is informing the public of efforts to implement Section 213 of the Senator Elizabeth Dole 21st Century Veterans Healthcare and Benefits Improvements Act (Dole Act), which requires VA to make notice and justification for changes in policy and guidance available to students, educational institutions, and the Committees on Veterans' Affairs of the Senate and House of Representatives.

FOR FURTHER INFORMATION CONTACT: Thomas Alphonso, Veterans Benefits Administration, (202) 461–9800.

SUPPLEMENTARY INFORMATION: On January 2, 2025, the ''Senator Elizabeth Dole 21st Century Veterans Healthcare and Benefits Improvements Act'' was signed into law. Section 213 of the Act, ''Notice of changes to Department of Veterans Affairs policies and guidance affecting the educational assistance programs of the Department,'' amends subchapter III of chapter 36 of title 38, United States Code, by adding a new section 3699D, ''Notice of changes to policies and guidance relating to educational assistance programs''.

This new section prohibits VA from implementing any changes in policy or guidance that relates to any VA educational assistance program, before a date 90 days after the date on which VA makes available to students, educational institutions, and the Committees on Veterans' Affairs of the Senate and House of Representatives notice of and justification for the change.

This **Federal Register** Notice serves as a public notification of how VA will comply with the requirements of this law:

(1) VA will post policy and guidance changes covered by this law including justification to a publicly facing website located at *www.benefits.va.gov/gibill/policy-change-notice.asp.*

(2) VA will notify the statutorily mandated stakeholders, students, educational institutions, and the Committees on Veterans' Affairs of the Senate and House of Representatives, that a policy or guidance change covered by this law has been posted on the aforementioned website via previously established routes, such as email and include a brief summary of the change.

(3) VA will wait at least 90 days after notification of any changes to policy or guidance covered by section 213 of the ''Senator Elizabeth Dole 21st Century Veterans Healthcare and Benefits Improvements Act'' to implement the specified change.

What is a change in policy or guidance?

VA will make 90-day notice and justification available to students, educational institutions, and the

Committees on Veterans' Affairs of the Senate and House of Representatives, guidance that meets the following criteria:

(1) It does not already exist in regulation, policy, procedure, or other form of guidance,

(2) It sets forth official VA position on a statutory, regulatory, or technical issue, and

(3) It exercises VA's discretionary policy and decision-making authority to ''fill-in a gap'' of statutory language, or

(4) It directly impacts students or schools.

(Authority: 38 U.S.C. 501; 38 U.S.C. 3699D.)

Signing Authority

Douglas A. Collins, Secretary of Veterans Affairs, approved and signed this document on June 25, 2025, and authorized the undersigned to sign and submit the document to the Office of the Federal Register for publication electronically as an official document of the Department of Veterans Affairs.

Taylor N. Mattson,

Alternate Federal Register Liaison Officer, Department of Veterans Affairs.

[FR Doc. 2025–12004 Filed 6–27–25; 8:45 am]

BILLING CODE 8320–01–P

DEPARTMENT OF VETERANS AFFAIRS

Advisory Committee on Disability Compensation, Notice of Meeting

The Department of Veterans Affairs (VA) gives notice under the Federal Advisory Committee Act, 5 U.S.C. Ch. 10, that the Advisory Committee on Disability Compensation (hereinafter the Committee) will hold virtual meeting sessions on Tuesday, August 19, 2025, and Wednesday, August 20, 2025. The meeting sessions will begin, and end as follows:

Date	Time
Tuesday, August 19, 2025.	10:00 a.m. to 2:00 p.m. Eastern Standard Time (EST).
Wednesday, August 20, 2025.	10:00 a.m. to 2:00 p.m. EST.

The meeting sessions are open to the public.

The purpose of the Committee is to advise the Secretary of Veterans Affairs on the maintenance and periodic readjustment of the VA Schedule for Rating Disabilities (VASRD). The Committee is to assemble and review relevant information relating to the nature and character of disabilities arising during service in the Armed Forces, provide an ongoing assessment of the effectiveness of the rating schedule, and give advice on the most appropriate means of responding to the needs of Veterans relating to disability compensation.

On Tuesday, August 19, 2025, through Wednesday, August 20, 2025, the agenda will include a Federal Advisory Committee Act (FACA) overview presentation, updates on the VASRD, and briefings from various staff on ongoing VA initiatives and priorities.

In addition, on Tuesday, August 19, 2025, the public comment period will be open for 30 minutes from 1:20 p.m. to 1:50 p.m. EST. The public can also submit one-page summaries of their written statements for the Committee's review. Public comments may be received no later than Tuesday, August 12, 2025, for inclusion in the official meeting record. Please send these comments to Jadine Piper of the Veterans Benefits Administration, Compensation Service, at *21C_ACDC.VBACO@va.gov.*

Members of the public who wish to obtain a copy of the agenda should contact Jadine Piper at *21C_ACDC.VBACO@va.gov* and provide their name, professional affiliation, email address, and phone number. The call-in number for those who would like to attend the meeting is: 872–701–0185; phone conference ID: 963 277 145#. Members of the public may also access the meeting by pasting the following URL into a web browser: *https://gcc02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fbit.ly%2FACDCAugust2025&data=05%7C02%7C%7Cbd118338c51442c8f90b08dd979f3b8d%7Ce95f1b23abaf45ee821db7ab251ab3bf%7C0%7C0%7C638833432328219581%7CUnknown%7CTWFpbGZsb3d8eyJFbXB0eU1hcGkiOnRydWUsIlYiOiIwLjAuMDAwMCIsIlAiOiJXaW4zMiIsIkFOIjoiTWFpbCIsIldUIjoyfQ%3D%3D%7C0%7C%7C%7C&sdata=2phlx8XrkAXlYXksONVZKc%2Fz0He1KY93sB1Pu1SZPBU%3D&reserved=0.*

Dated: June 26, 2025.

Jelessa M. Burney,

Federal Advisory Committee Management Officer.

[FR Doc. 2025–12019 Filed 6–27–25; 8:45 am]

BILLING CODE 8320–01–P

DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900–0914]

Agency Information Collection Activity: Authorization To Disclose Personal Information to a Third Party—Education Benefits

AGENCY: Veterans Benefits Administration, Department of Veterans Affairs.

ACTION: Notice.

SUMMARY: Veterans Benefits Administration, Department of Veterans Affairs (VA), is announcing an opportunity for public comment on the proposed collection of certain information by the agency. Under the Paperwork Reduction Act (PRA) of 1995, Federal agencies are required to publish notice in the **Federal Register** concerning each proposed collection of information, including each proposed revision 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 August 29, 2025.

ADDRESSES: Comments must be submitted through *www.regulations.gov*.

FOR FURTHER INFORMATION CONTACT:

Program-Specific information: Kendra McCleave, 202–461–9568, *Kendra.McCleave@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: Authorization to Disclose Personal Information to a Third Party—Education Benefits.

OMB Control Number: 2900–0914. *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: The VA Form 22–10278 is used to release information in its custody or control in the following circumstances: where the individual identifies the particular information and consents to its use; for the purpose for which it was collected or a consistent purpose (*i.e.,* a purpose which the individual might have reasonably expected). By law, VA must have a claimants or beneficiary's written permission (an ''authorization'') to use or give out claim or benefit information for any purpose that is not contained in VA's System of Records, 58VA21/22/28 Compensation, Pension, Education and Veteran Readiness and Employment Records-VA. The claimant or beneficiary may revoke the authorization at any time, except if VA has already acted based on the claimant's permission.

The VA Form 22–10278 will be available on the *VA.gov* website in a fillable electronic format. The form can be submitted either electronically or mailed to the appropriate VA Regional Processing Office. The burden is decreased due to data for calendar year periods 2022, 2023 and 2024.

Affected Public: Veterans and beneficiaries eligible for VA educational assistance benefits.

Estimated Annual Burden: 27 hours.

Estimated Average Burden per Respondent: 5 minutes.

Frequency of Response: Once.

Estimated Number of Respondents: 322.

Authority: 44 U.S.C. 3501 *et seq.*

Dorothy Glasgow,

VA PRA Clearance Officer, Office of Enterprise and Integration/Data Governance Analytics, Department of Veterans Affairs.

[FR Doc. 2025–12014 Filed 6–27–25; 8:45 am]

BILLING CODE 8320–01–P

FEDERAL REGISTER

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Part II

Environmental Protection Agency

40 CFR Part 60
Standards of Performance for New Stationary Sources and Emission Guidelines for Existing Sources: Other Solid Waste Incineration Units Review; Final Rule

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 60

[EPA–HQ–OAR–2003–0156; FRL–7547–02–OAR]

RIN 2060–AU60

Standards of Performance for New Stationary Sources and Emission Guidelines for Existing Sources: Other Solid Waste Incineration Units Review

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: This action finalizes the periodic review by the U.S. Environmental Protection Agency (EPA) of the emissions standards and other requirements for Other Solid Waste Incineration (OSWI) units in the OSWI New Source Performance Standards (NSPS) and Emission Guidelines (EG). The EPA is finalizing applicability-related and definitional changes; changes to OSWI subcategories and the standards for the new subcategories; changes to the startup, shutdown, and malfunction (SSM) provisions; and changes to testing, monitoring, recordkeeping, and reporting requirements. We are also making other miscellaneous technical and editorial changes to the regulatory text.

DATES: This final rule is effective August 29, 2025. The incorporation by reference (IBR) of certain publications listed in the regulation is approved by the Director of the Federal Register as of August 29, 2025.

ADDRESSES: The Environmental Protection Agency (EPA) has established a docket for this rulemaking under Docket ID No. EPA–HQ–OAR–2003–0156. All documents in the docket are listed on the *https://www.regulations.gov/* website. Although listed, some information is not publicly available, *e.g.,* Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the internet and will be publicly available only in hard copy form. Publicly available docket materials are available electronically through *https://www.regulations.gov/.*

FOR FURTHER INFORMATION CONTACT: For questions about this final action, contact Felica Davis, Ph.D., Sector Policies and Programs Division (E143–05), Office of Air Quality Planning and Standards, U.S. Environmental Protection Agency, 109 T.W. Alexander Drive, P.O. Box 12055, Research Triangle Park, North Carolina, 27711; telephone number: (919) 541–4857; and email address: *davis.felica@epa.gov.*

SUPPLEMENTARY INFORMATION:

Preamble acronyms and abbreviations. Throughout this preamble the use of ''we,'' ''us,'' or ''our'' is intended to refer to the EPA. We use multiple acronyms and terms in this preamble. While this list may not be exhaustive, to ease the reading of this preamble and for reference purposes, the EPA defines the following terms and acronyms here:

ACI air curtain incinerator
ANSI American National Standards Institute
AOGA Alaska Oil and Gas Association
ASME American Society of Mechanical Engineers
AWC alternative waste characterization
Cd cadmium
CAA Clean Air Act
CBI Confidential Business Information
CDX Central Data Exchange
CEDRI Compliance and Emissions Data Reporting Interface
CEMS continuous emissions monitoring systems
CFR Code of Federal Regulations
CISWI commercial and industrial solid waste incineration
CO carbon monoxide
CO_2 carbon dioxide
CRA Congressional Review Act
D.C.Circuit United States Court of Appeals for the District of Columbia Circuit
DCOT digital camera opacity technique
EG emission guidelines
EPA Environmental Protection Agency
ERT Electronic Reporting Tool
FR Federal Register
HCl hydrochloric acid
Hg mercury
HMIWI hospital, medical, and infectious waste incineration
ICR Information Collection Request
IWI institutional waste incineration
MACT maximum achievable control technology
MSW municipal solid waste
MWC municipal waste combustor
NESHAP national emission standards for hazardous air pollutants
ng/dscm nanograms per dry standard cubic meter
NO nitric oxide
NO_2 nitrogen dioxide
NO_X oxides of nitrogen
NSPS New Source Performance Standards
NTTAA National Technology Transfer and Advancement Act
O_2 oxygen
OSWI other solid waste incineration
Pb lead
PDF portable document format
PM particulate matter
ppm parts per million
ppmvd parts per million dry (volume basis)
PRA Paperwork Reduction Act
RCRA Resource Conservation and Recovery Act
RFA Regulatory Flexibility Act
SMCD substitute means of compliance demonstration
SO_2 sulfur dioxide
SRI small remote incinerator
SSI sewage sludge incinerator
SSM startup, shutdown, and malfunction
TEQ toxic equivalency factor
TMB total mass basis
TPD tons per day
tpy tons per year
µg/dscm micrograms per dry standard cubic meter
UMRA Unfunded Mandates Reform Act
VCS voluntary consensus standards
VSMWC very small municipal waste combustion
XML extensible markup language

Organization of this document. The information in this preamble is organized as follows:

I. General Information
A. Does this action apply to me?
B. How do I obtain a copy of this document and other related information?
C. Judicial Review and Administrative Reconsideration
II. Background
A. What is the statutory authority and regulatory history for this action?
B. What changes did we propose for the OSWI source category in our August 31, 2020, proposal and subsequent notices?
C. What outreach and engagement did we conduct?
III. Summary of Final Action
A. What are the final rule amendments based on the CAA section 129(a)(5) review?
B. What are the final rule changes involving the applicability of OSWI requirements?
C. What are the final rule amendments addressing OSWI subcategories and related MACT floor redeterminations?
D. What are the final rule amendments addressing other definitions for the OSWI category?
E. What are the final rule amendments addressing emissions during periods of SSM?
F. What are the final rule amendments addressing testing, monitoring, and reporting requirements?
G. What are the effective and compliance dates of the standards?
IV. Public Comments and Responses
A. What key comments did we receive on the applicability of OSWI requirements, and what are our responses?
B. What key comments did we receive on the OSWI subcategories and related MACT floor redeterminations?
C. What key comments did we receive on other amendments, and what are our responses?
D. What key comments did we receive on effective and compliance dates?
V. Summary of Cost, Environmental, and Economic Impacts
A. What are the affected facilities?
B. What are the air quality impacts?
C. What are the cost and economic impacts?
D. What are the benefits?
VI. Statutory and Executive Order Reviews
A. Executive Orders 12866: Regulatory Planning and Review and Executive

Order 13563: Improving Regulation and Regulatory Review
B. Executive Order 14192: Unleashing Prosperity Through Deregulation
C. Paperwork Reduction Act (PRA)
D. Regulatory Flexibility Act (RFA)
E. Unfunded Mandates Reform Act (UMRA)
F. Executive Order 13132: Federalism
G. Executive Order 13175: Consultation and Coordination With Indian Tribal Governments
H. Executive Order 13045: Protection of Children From Environmental Health Risks and Safety Risks
I. Executive Order 13211: Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use
J. National Technology Transfer and Advancement Act (NTTAA) and 1 CFR Part 51
K. Congressional Review Act (CRA)

I. General Information

A. Does this action apply to me?

Categories and entities potentially affected by this final action are those that operate OSWI units. OSWI units are not commercial and industrial solid waste incineration units (CISWI), hazardous waste combustors (HWC), hospital/medical/infectious waste incinerators (HMIWI), sewage sludge incinerators (SSI), or other incinerators regulated elsewhere under section 129 of the CAA. Although there is no specific North American Industry Classification System (NAICS) code for OSWI units, the units subject to the New Source Performance Standards (NSPS) and Emission Guidelines (EG) for OSWI, hereinafter referred to as ''the OSWI standards,'' may be operated by the categories of sources listed in table 1 of this preamble:

TABLE 1—INDUSTRIAL SOURCE CATEGORIES AFFECTED BY THIS ACTION

Source category	NAICS code [1]	Examples of potentially regulated entities
Any state, local, or tribal government using a very small municipal waste combustion (VSMWC) unit.	562213, 92411	Solid waste combustion units burning municipal solid waste (MSW).
Any correctional institutions using an institutional waste incineration (IWI) unit.	922, 7213	Correctional institutions.
Any nursing or residential care facilities using an OSWI unit.	623	Any nursing care, residential intellectual and developmental disability, residential mental health and substance abuse, or assisted living facilities.
Any Federal government agency using an OSWI unit	928, 7121	Department of Defense (labs, military bases, munition facilities) and National Parks.
Any educational institution using an OSWI unit	6111, 6112, 6113	Primary and secondary schools, universities, colleges, and community colleges.
Any church or convent using an OSWI unit	8131	Churches and convents.
Any civic or religious organization using an OSWI unit	8134	Civic associations and fraternal associations.
Any industrial or commercial facility using a VSMWC unit	114, 211, 212, 221, 486	Oil and gas exploration operations; mining; pipeline operators; utility providers; fishing operations.

[1] North American Industry Classification System.

This table is not intended to be exhaustive, but rather provides a guide for readers regarding entities likely to be regulated by this action. To determine whether your entity is regulated by this action, you should carefully examine the applicability criteria found in 40 Code of Federal Regulations (CFR) 60.2885, 60.2981, and 60.2991. If you have questions regarding the applicability of this action to a particular entity, consult the person listed in the **FOR FURTHER INFORMATION CONTACT** section of this preamble, your delegated authority, or your EPA Regional representative listed in 40 CFR 60.4 (General Provisions).

B. How do I obtain a copy of this document and other related information?

The docket number for this final action regarding the OSWI EG and NSPS is Docket ID No. EPA–HQ–OAR–2003–0156. In addition to being available in the docket, an electronic copy of this final action will also be available on the internet. Following signature by the EPA Administrator, the EPA will post a copy of this final action at: *https://www.epa.gov/stationary-sources-air-pollution/other-solid-waste-incinerators-oswi-new-source-performance.* Following publication in the **Federal Register** (FR), the EPA will post the FR version and key technical documents at this same website.

C. Judicial Review and Administrative Reconsideration

Under Clean Air Act (CAA) section 307(b)(1), judicial review of this final action is available only by filing a petition for review in the United States Court of Appeals for the District of Columbia Circuit (the D.C. Circuit) by August 29, 2025. Under CAA section 307(b)(2), the requirements established by this final rule may not be challenged separately in any civil or criminal proceedings brought by the EPA to enforce the requirements.

Section 307(d)(7)(B) of the CAA further provides that only an objection to a rule or procedure which was raised with reasonable specificity during the period for public comment (including any public hearing) may be raised during judicial review. This section also provides a mechanism for the EPA to reconsider the rule if the person raising an objection can demonstrate to the Administrator that it was impracticable to raise such objection within the period for public comment or if the grounds for such objection arose after the period for public comment (but within the time specified for judicial review) and if such objection is of central relevance to the outcome of the rule. Any person seeking to make such a demonstration should submit a Petition for Reconsideration to the Office of the Administrator, U.S. EPA, Room 3000, WJC South Building, 1200 Pennsylvania Ave. NW, Washington, DC 20460, with a copy to both the person(s) listed in the preceding **FOR FURTHER INFORMATION CONTACT** section and the Associate General Counsel for the Air and Radiation Law Office, Office of General Counsel (Mail Code 2344A), U.S. EPA, 1200 Pennsylvania Ave. NW, Washington, DC 20460.

II. Background

A. What is the statutory authority and regulatory history for this action?

Section 129 of the CAA, entitled ''Solid Waste Combustion,'' requires the EPA to develop and adopt NSPS and EG for solid waste incineration units, in accordance with CAA sections 129 and 111. Section 129(a) of the CAA requires the EPA to establish NSPS for new

sources, and CAA section 129(b) requires the EPA to establish procedures for states to submit plans for implementing EG for existing sources. The EPA initially proposed NSPS and EG for OSWI units on December 9, 2004 (69 FR 71472), and finalized them on December 16, 2005 (70 FR 74870), at 40 CFR part 60, subparts EEEE and FFFF. The 2005 OSWI standards applied to an incineration unit with a capacity of less than 35 TPD burning MSW (as defined in 40 CFR 60.2977 of subpart EEEE, and 40 CFR 60.3078 of subpart FFFF) or an incineration unit located at an institutional facility burning institutional waste (as defined in 40 CFR 60.2977 of subpart EEEE and 40 CFR 60.3078 of subpart FFFF) generated at that facility. The 2005 rule has yet to be fully implemented for existing sources because most states have not developed and submitted state plans for approval and EPA has not promulgated an implementing Federal plan. Following that final action, the Administrator received a petition for reconsideration of the OSWI standards, and on June 28, 2006, the EPA announced reconsideration of the final OSWI rules (71 FR 36726). After consideration of comments and information received through the reconsideration process, we concluded that no additional changes were necessary to the final OSWI rules (72 FR 2620, January 22, 2007).

In addition to the administrative reconsideration request, some entities petitioned for judicial review of the 2005 OSWI standards. The judicial review proceedings were initially stayed and, ultimately, the EPA requested a voluntary remand of the OSWI standards. By an order dated April 21, 2016, the D.C. Circuit granted the EPA's request for a remand. Order, *Sierra Club* v. *EPA,* No. 06–1066 (D.C. Cir. April 21, 2016). The remand was requested to allow the EPA to consider potential revisions, if any, to the OSWI standards that might be appropriate in light of certain legal developments, including 2007 and 2008 decisions from the D.C. Circuit.[1]

The OSWI NSPS establishes maximum achievable control technology (MACT) emission limits for new or modified OSWI units. For new sources, the CAA requires that MACT limits be no less stringent than the emissions control achieved in practice by the best-controlled similar unit. The OSWI EG establishes MACT emission limits for existing OSWI units. For existing sources, the CAA requires that MACT limits be no less stringent than the average emissions limitation achieved by the best-performing 12 percent of units in a source category. The EPA must determine some measure of the average emissions limitation achieved by the best-performing 12 percent of units to form the floor regulatory option.

Under the 2005 OSWI standards, the term ''OSWI unit'' means either a very small municipal waste combustion (VSMWC) unit or an institutional waste incineration (IWI) unit. A VSMWC unit is any municipal waste combustion unit that has the capacity to combust less than 35 tons per day (TPD) of municipal solid waste (MSW) or refuse-derived fuel. An IWI unit is any combustion unit that combusts institutional waste and is a distinct operating unit of the institutional facility, such as a university or prison, that generated the waste.

As required by section 129 of the CAA, the OSWI NSPS and EG rules set emission standards for nine pollutants: cadmium (Cd), carbon monoxide (CO), dioxins/furans (D/F), hydrochloric acid (HCl), lead (Pb), mercury (Hg), oxides of nitrogen (NO_X), particulate matter (PM), and sulfur dioxide (SO_2). They also established opacity standards.

CAA section 129(a)(5) requires the EPA to review and, if appropriate, revise the requirements for solid waste incineration units no later than five years following the initial promulgation of any performance standards and at periodic five year intervals after that. However, in 2018, the D.C. Circuit found that the EPA had failed to undertake the periodic review of the OSWI standards and placed the EPA on a schedule to issue a proposed rulemaking and a final rulemaking.[2] The EPA published a proposed rule on August 31, 2020, for the OSWI NSPS and EG rules that addressed the requisite CAA section 129(a)(5) periodic review (85 FR 54178, hereafter referred to as the ''2020 Proposed Rule''). The EPA subsequently published three actions to address issues raised in the 2020 Proposed Rule: (1) withdrawal of certain provisions included in the 2020 Proposed Rule which proposed modifying the definition of ''municipal waste combustion unit,'' by removing pyrolysis/combustion units from the definition (88 FR 36524, June 5, 2023, hereafter referred to as the ''2023 Withdrawal''); (2) a final rule promulgating certain provisions for OSWI air curtain incinerators (ACI) to remove the title V permitting requirements for ACIs that only burn wood waste, clean lumber, yard waste, or a mixture of those, and are not located at title V major sources or subject to title V for other reasons (89 FR 27392, April 17, 2024, hereafter referred to as the ''2024 ACI Rule''); and (3) a supplemental notice of proposed rulemaking (SNPRM) to add a definition for ''rudimentary combustion device'' (89 FR 60342, July 25, 2024, hereafter referred to as the ''2024 SNPRM'').

B. What changes did we propose for the OSWI source category in our August 31, 2020, proposal and subsequent notices?

The EPA published the 2020 Proposed Rule in the **Federal Register** to address the requisite CAA section 129(a)(5) periodic review (85 FR 54178). We proposed that no new developments in practices, processes, or control technologies existed for any OSWI units and that it was not necessary to revise the OSWI standards for new and existing units under CAA section 129(a)(5). In addition, we proposed some changes to the OSWI standards that were occasioned by the 2016 voluntary remand of the OSWI standards (and the legal developments related to that request for a remand). In accordance with the EPA's general authority under CAA section 129(a), we proposed: (1) revised subcategories and MACT standards that better reflect actual emissions test data from OSWI units and the population of OSWI; (2) changes to applicability provisions for the EG and NSPS including definitional changes; (3) revisions to regulatory provisions related to emissions during periods of startup, shutdown, and malfunction (SSM); (4) testing and monitoring flexibilities so that VSMWC or IWI units with capacities less than or equal to 10 TPD can demonstrate compliance with the rule; (5) provisions for electronic reporting of certain notices and reports; (6) revisions to recordkeeping and reporting provisions consistent with the revised testing and monitoring; (7) changes to title V permitting requirements for air curtain incinerators that burn less than 35 TPD and burn only only wood waste, clean lumber and yard waste; and (8) other technical edits, clarifications, and

[1] *Sierra Club* v. *EPA,* 479 F.3d 875 (D.C. Cir. 2007)); *NRDC* v. *EPA,* 489 F.3d 1250 (D.C. Cir. 2007); *Sierra Club* v. *EPA,* 551 F.3d 1019 (D.C. Cir. 2008).

[2] Order, *Sierra Club* v. *Wheeler,* no. 16–2461 (D.D.C. filed Sept. 14, 2018) (ordering the EPA publish a notice of proposed rulemaking by August 21, 2020, and promulgate a final rulemaking by May 31, 2021); Order *Sierra Club* v. *Wheeler,* no. 16–2461 (D.D.C. filed April 22, 2021) (extending the EPA's deadline for a final rulemaking to October 31, 2021); Order, *Sierra Club* v. *Wheeler,* no. 16–2461 (D.D.C. filed Oct. 14, 2021) (extending the EPA's deadline for a final rulemaking to March 1, 2024); Order, *Sierra Club* v. *Wheeler,* no. 16–2461 (D.D.C. filed Nov. 7, 2023) (extending the EPA's deadline to promulgated a final rulemaking to June 30, 2025).

revisions intended to improve the understanding of the rules and improve consistency with other CAA section 129 rules. For a more detailed discussion of these revisions, see section II.B of the proposal preamble (85 FR 54178; August 31, 2020).

In the 2020 Proposed Rule, the EPA proposed to change the applicability of the OSWI standards to remove the reference to pyrolysis/combustion units from the definition of ''municipal waste combustion unit.'' At that time, we considered that the reference to a pyrolysis/combustion unit as a municipal waste combustor (MWC) should not apply to OSWI units because such units are used to combust uncontained gases and do not involve the combustion of solid waste as defined in the OSWI rule.

The EPA published an advanced notice of proposed rulemaking on September 8, 2021 (86 FR 50296), to gather more details on pyrolysis/combustion units, including how they are used, the inputs and products of the processes, and emissions from these processes. In response to significant adverse comment, the EPA subsequently withdrew the proposed revisions to the definition of ''municipal waste combustion unit'' (88 FR 36524, June 5, 2023). Accordingly, the EPA will not be taking additional action related to pyrolysis/combustion units in this action.

The EPA published the 2024 ACI Rule promulgating certain provisions related to the title V permitting requirements for OSWI air curtain incinerators (ACI) (89 FR 27392, April 17, 2024). Based on available data, ACIs that combust less than 35 TPD of wood waste, clean lumber, and yard waste are commonly located at facilities that would not otherwise require title V operating permits. Further, these types of ACIs are typically used temporarily at the locations for things like land clearing or storm cleanup. The EPA received overwhelming support from states and industry stakeholders to remove the title V permitting requirement for ACIs that only burn wood waste, clean lumber, yard waste, or a mixture of these wastes, and received no adverse comments on these revisions in the 2020 Proposed Rule. These changes were finalized, and a subsequent technical correction was published November 14, 2024 (89 FR 89928), to address inadvertent errors in the regulatory text in order to make the rule consistent with the description in the April 17, 2024, final rule preamble.

Following the EPA's analysis of comments received after the 2020 Proposed Rule, and discussions with the state of Alaska and Tribes, the EPA published the 2024 SNPRM on July 25, 2024, which proposed to add a definition for ''rudimentary combustion device'' to address the unique issues associated with these units. The EPA proposed to define a rudimentary combustion device as a combustion device with a capacity less than or equal to 10 TPD that is designed and constructed without one or more of the following elements: (1) a stack, chimney, or pipe designed for the purpose of managing air flow and discharging flue gases from combustion; (2) mechanical draft to provide air flow; (3) burners designed to manage the combustion process; (4) an ancillary power supply to operate; or (5) supplemental fuel burners or nozzles. Because rudimentary combustion devices lack one or more of these elements, the EPA proposed the emissions information, limits, and controls developed for the 2020 Proposed Rule would not be appropriate for them. Most rudimentary combustion devices are not equipped with stacks from which to sample emissions during a performance test, and a stack or extension would be needed in order to perform the testing required by the OSWI standards. Many of these devices are located within Native American villages and other remote or difficult to access areas of the country with limited road access to haul waste to a larger community for burning or landfilling. As a result, local waste disposal is the only option available, and these communities face significant challenges and constraints in addressing this issue. Given the numerous challenges regarding these units, in the 2024 SNPRM the EPA proposed postponing development of standards for units that meet the definition of rudimentary combustion devices at this time.

C. What outreach and engagement did we conduct?

In developing this rule, the EPA conducted outreach activities with states, Tribes, and communities located near OSWI facilities. In addition to public comments received, we obtained feedback from interested parties and evaluated and considered the information received as we developed this action. In June 2020, the EPA conducted four pre-proposal informational calls for federally recognized Tribes, including an overview presentation during the June 25, 2020, National Tribal Air Association call. On August 31, 2020, the EPA sent an email notification to stakeholders announcing that the action had been published with a 45-day comment period and an opportunity to request a public hearing. In September 2020, the EPA held six consultation meetings with Tribes including meetings with Northway Village, Qagan Tayagungin, Louden Tribe, and the Mescalaro Apache Tribe to give an overview of the OSWI proposal and provide instructions on how and when comments on the rule should be submitted to the docket (see Docket ID No. EPA–HQ–OAR–2003–0156). The EPA also conducted four informational calls on the OSWI rule in September 2020 including an overview at the Small Business Environmental Assistance Program (SBEAP) Annual Training, Alaska Air Workgroup call, Tribal Environmental Leaders Summit call, and an update at the National Tribal Air Association (NTAA) call. Although a public hearing was not requested, the EPA continued to seek out additional opportunities for interested parties to be informed about potential requirements of this action. This outreach has included a presentation to the Small Business Environmental Assistance Program on June 5, 2023; regular meetings with the state of Alaska to discuss the operation of incineration units; and a presentation on this action during the National Association of Clean Air Agencies (NACAA) Permitting and New Source Review Committee meeting. In March 2025, the EPA held several informational calls with AOGA and industry to discuss their comments submitted on the 2020 Proposed Rule.

III. Summary of Final Action

This action provides the EPA's final determination pursuant to the requisite CAA section 129(a)(5) periodic review for the OSWI standards and requirements in the NSPS and EG rules (see section III.A of this preamble). This action also finalizes applicability-related and definitional changes, changes to OSWI subcategories, and related MACT floor redeterminations, as well as several changes from the 2020 Proposed Rule and changes from the 2024 SNPRM (see sections III.B through D of this preamble). In addition, we are finalizing changes to the SSM provisions (see section III.E of this preamble). Lastly, we are finalizing revisions to the testing, monitoring, recordkeeping, and reporting requirements; and miscellaneous other technical and editorial changes to the regulatory text (see sections III.F.1 through III.F.4 of this preamble). The effective and compliance dates for these actions are discussed in section III.G of this preamble.

A. What are the final rule amendments based on the CAA section 129(a)(5) review?

After considering the public comments received, we are finalizing our results of the CAA section 129(a)(5) periodic review for the OSWI standards as proposed (85 FR 54178). We have determined there are no developments in practices, processes, or control technologies that warrant revisions to the OSWI standards and requirements. Consistent with the 2020 Proposed Rule, we are not revising the OSWI standards and requirements for new or existing sources based on our review under CAA section 129(a)(5).

For a detailed discussion of our review pursuant to CAA section 129(a)(5), see section II.A of the preamble to the 2020 Proposed Rule. Comments on the CAA section 129(a)(5) review and our responses can be found in section IV of this preamble and in the document, Summary of Public Comments and Responses for the Standards of Performance for New Stationary Sources and Emission Guidelines for Existing Sources: Other Solid Waste Incineration Units Review, which is available in the docket (see Docket ID No. EPA–HQ–OAR–2003–0156) for this rulemaking.

B. What are the final rule changes involving the applicability of OSWI requirements?

Although not predicated on the CAA section 129(a)(5) review, in this rule, we are finalizing certain changes to the OSWI standards. The EPA proposed several changes involving the applicability requirements for OSWI in the 2020 Proposed Rule and the 2024 SNPRM. The EPA is finalizing proposed changes to the applicability of the OSWI standards following our consideration of comments received on the 2020 Proposed Rule, the 2024 SNPRM, and data provided by the Alaska Oil and Gas Association (AOGA) for small remote incinerators (SRIs) located in Alaska. As discussed below in this section, we are finalizing the proposed removal of the definition of the term ''collected from'' as used in the definition of ''municipal solid waste''; the addition of a new definition for certain small units that were included in the 2024 SNPRM as ''rudimentary combustion units''; and associated edits to the applicability requirements of 40 CFR 60.2885 and 40 CFR 60.2991.

In the 2020 Proposed Rule, the EPA proposed changes to the applicability of the OSWI standards. At that time, the EPA intended to resolve inconsistent definitions between OSWI and other CAA section 129 rulemakings and to update aspects of the OSWI rule based on new data used to develop revised emission limits for OSWI units with capacity less than or equal to 10 TPD.

We are finalizing the proposed removal of the definition of the term ''collected from'' as used in the definition of ''municipal solid waste'' to place the focus on the source and type or nature of the waste. The term collected from (as defined in the OSWI rule) means the transfer of material from the site at which the material is generated to a separate site where the material is burned. We noted that the 2005 OSWI rule finalized a definition of ''municipal solid waste'' (refuse and refuse-derived fuel ''collected from'' the general public and from residential, commercial, institutional, and industrial sources) that was similar to the definition of ''municipal waste'' provided in CAA section 129(g)(5), but was interpreted for the purposes of VSMWC applicability under OSWI, to mean that the municipal waste must be ''collected from'' certain types of sites or from multiple sites. Specifically, the 2005 OSWI rule stated that ''small incinerators'' that are located at commercial businesses (such as stores, restaurants and apartments) or industrial sites are not VSMWC units because they do not burn waste which has been ''collected from'' a site that generated the waste and transferred to a separate site where the waste is burned (70 FR 74882). The 2020 Proposed Rule reevaluated this interpretation, noting that other existing CAA section 129 incinerator rules (such as the municipal waste combustor (MWC) rules) do not necessarily place the same emphasis on where the waste is collected.

By removing the definition of ''collected from'', such small incinerators located at commercial businesses or industrial sites would no longer be subject to this limitation and would qualify as VSMWC (provided these units burn more than 30-percent MSW) under OSWI. The CISWI NSPS and EG currently regulate small remote incinerators (SRIs) at commercial and industrial facilities that combust at least 30-percent MSW, but they would now qualify as VSMWC under OSWI in the final rule. These incinerators are primarily owned by oil and gas companies and burn municipal-type solid waste that is generated by the oil and gas workers and is not associated with oil and gas activities. The EPA's decision to regulate these SRI units located at commercial businesses under the OSWI standards is discussed further in sections III.C and IV.A of this preamble.

We are finalizing as proposed new subcategories and revised emission limits for new and existing OSWI units with capacities less than or equal to 10 TPD. In the 2020 Proposed Rule, the EPA proposed new emission standards for OSWI units with capacity less than or equal to 10 TPD, based on analysis of data collected during the development of the CISWI rules and data subsequently provided by AOGA for SRI units located in Alaska (see section III.C of this preamble for further discussion). In response to the 2020 Proposed Rule's new subcategories and emission standards for new and existing OSWI units with capacities less than or equal to 10 TPD, the EPA received numerous comments noting that it would be nearly impossible for most rural Alaskan communities to comply with the proposed requirements. Units in rural Alaskan communities are often very basic in design and function. Commenters stated that the proposed requirements are inapplicable or impractical for these types of small units (*e.g.,* burn boxes), which do not have stacks or other incinerator design elements, such as waste feed or flue gas systems, heat recovery, and bottom ash systems. Commenters stated that due to these limitations and other challenges, including the associated costs of compliance, rural communities operating these units would be unable to meet the proposed requirements and may be forced to return to less environmentally friendly waste disposal methods, such as open burning, barrel burning, or loose filling waste which could also attract wildlife that may present immediate health and safety risks. These comments are summarized in detail in the 2024 SNPRM (see section III, 89 FR 60345–60347).

Subsequent discussions with state and tribal agencies in Alaska demonstrated that most of these units have a capacity of less than or equal to 10 TPD, are rudimentary in design and function, and are generally located in remote areas. These units are not equipped with stacks with which to sample emissions during performance testing, likely cannot be physically modified to equip the unit with a stack, and may be difficult to access for testing due to their physical location.

Based on this new information, the EPA proposed a new definition for ''rudimentary combustion devices'' and associated edits to 40 CFR 60.2885 and 40 CFR 60.2991. Units that fall under the definition of rudimentary combustion devices are not considered VSMWC or IWI, and so are not required to comply with the emission standards for VSMWC or IWI (see section III.D of

this preamble for further discussion). As noted in the 2024 SNPRM, the EPA does not consider the emissions information, limits, and controls developed for the proposed OSWI rule to be appropriate for these devices, which lack one or more of these elements, and is therefore not setting standards for rudimentary combustion devices in this rulemaking. Further, these rules do not usurp existing local or state regulations that apply to these units, which will continue to apply as they currently do.

Comments on the proposed changes to applicability, including comments received on the 2024 SNPRM, and our responses can be found in section IV.A of this preamble and in the document, *Summary of Public Comments and Responses for the Standards of Performance for New Stationary Sources and Emission Guidelines for Existing Sources: Other Solid Waste Incineration Units Review,* which is available in the docket (see Docket ID No. EPA–HQ–OAR–2003–0156) for this rulemaking.

C. What are the final rule amendments addressing OSWI subcategories and related MACT floor redeterminations?

The EPA is finalizing, as proposed, the revisions to the OSWI subcategories for both new and existing units and associated MACT floor recalculations included in the 2020 Proposed Rule. For the 2005 OSWI standards, the EPA lacked emissions data from OSWI units, and the emission limits were based on information for similar sources in the HMIWI unit source category, as discussed in the preamble to the proposed rule (85 FR 54183). During the development of the 2020 Proposed Rule, the EPA collected additional information on two new OSWI units (constructed after the current OSWI standards were issued) with capacities greater than 10 TPD and emissions information for certain existing small remote incineration units located in Alaska that historically have been regarded as SRIs under CISWI, but which we proposed to treat as OSWI VSMWC units.

The EPA proposed to reconsider the dividing line between the OSWI and CISWI standards and to treat these existing units as VSMWC based on data submitted by AOGA showing that most of these units burn more than 30 percent municipal type solid waste generated by staff/personnel at commercial or industrial facilities (discussed in section III.B of this preamble). Because the data indicated that SRI units combust more than 30 percent MSW, even though they are located at commercial or industrial facilities and currently subject to CISWI, we proposed that they would be subject to the OSWI rule. As discussed in the 2020 Proposed Rule, this approach is more consistent with the EPA's other CAA section 129 MWC rules and the CAA definition of ''municipal waste'' in CAA section 129(g)(5), which defines the term ''municipal waste'' to mean refuse ''collected from the general public and from residential, commercial, institutional, and industrial sources consisting of paper, wood, yard wastes, food wastes, plastics, leather, rubber and other combustible materials and non-combustible materials such as metal, glass and rock.'' We did not read this definition as necessitating that, to constitute MSW, that the waste must be transferred from one site and burned at another site. Additionally, the information gathered for the two new OSWI units (VSMWC with capacities greater than 10 TPD located in Arizona and Texas) indicated that these units are continuously fed rotary combustors that use add-on pollution controls to comply with the OSWI standards.

For incineration units, differences in size typically reflect differences in operation and equipment complexity. Units with capacities less than or equal to 10 TPD typically feed waste to the unit in batches and some units may not even be equipped with stacks. Units larger than 10 TPD typically feed waste to the unit continuously or semi-continuously and also typically have stacks or flues that can be routed to air pollution control devices. Based on the differences in size, design, and operation of the SRI units and the two new OSWI units, the EPA proposed to subcategorize IWI and VSMWC units under OSWI based on size. These subcategories included VSMWC units with a capacity to combust less than or equal to 10 TPD of MSW or refuse-derived fuel; IWI units with a capacity to combust less than or equal to 10 TPD of institutional waste; VSMWC units with a capacity to combust greater than 10 TPD but less than 35 TPD of MSW or refuse-derived fuel; and IWI units with a capacity to combust greater than 10 TPD of institutional waste. The proposed and final subcategories for VSMWC and IWI units are summarized in table 2 of this preamble.

TABLE 2—OSWI CATEGORIES AND NEW SUBCATEGORIES

2005 Final rule		2020 Proposed rule		2025 Final rule	
Subcategory	Capacity	Subcategory	Capacity	Subcategory	Capacity
VSMWC	<35 TPD	Small VSMWC	≤10 TPD	VSMWC with capacity ≤10 TPD.	≤10 TPD.
IWI	No capacity threshold	Large VSMWC	>10 but <35 TPD	VSMWC with capacity >10 TPD.	>10 but <35 TPD.
		Small IWI	≤10 TPD	IWI with capacity ≤10 TPD.	≤10 TPD.
		Large IWI	>10 TPD	IWI with capacity >10 TPD.	>10 TPD.

The EPA subsequently proposed revised MACT floor emission limits for existing and new VSMWC and IWI units with capacities less than or equal to 10 TPD based on the updated inventory, emissions, and waste data provided by AOGA. We did not propose any revisions to the MACT floor emission limits for existing and new ''large'' OSWI units (greater than 10 TPD). Section II.B. of the preamble to the 2020 Proposed Rule provides additional information on the EPA's rationale for the proposed revisions to subcategorize OSWI units and the proposed emission limits.

Following review of the comments received on the 2020 Proposed Rule, we are finalizing the proposed subcategories and related MACT floor recalculations for new and existing VSMWC and IWI units with capacities less than or equal to 10 TPD based on the data gathered during the 2020 Proposed Rule, which includes data collected for SRI units previously regulated under CISWI, and which better reflects the actual emissions test data from similar units. The final subcategories for OSWI units remain

appropriate based on the differences in the size, design, and operation of the units with capacity less than or equal to 10 TPD and the two new OSWI units, that have capacities greater than 10 TPD. In addition, consistent with the proposal, we are not finalizing any changes to the 2005 OSWI emission limits for VSMWC and IWI units with capacities greater than 10 TPD (new and existing). Also, we conclude, as proposed, that revised beyond-the-floor limits are not appropriate for the OSWI subcategories (see section II.B.1 of the proposal preamble (85 FR 54178).

We have developed revised emission limits for existing OSWI units with capacities less than or equal to 10 TPD using the average emission limitation of the best performing 12 percent of such sources and also considering variability in emissions, consistent with CAA section 129(a)(2). The revised standards better reflect actual emissions test data from OSWI units and are more representative of and better reflect the emissions achievable for new and existing units in each category required under CAA sections 129(a)(2) and (4).

To calculate the MACT floor emission limits for these existing OSWI sources, we considered the available test run data provided in response to a 2010 information collection request (ICR) and test data from 2014 submitted in June 2017 by AOGA in their attempt to address concerns that they had with the 2010 ICR data pertaining to the emissions test data representativeness and waste variability. In the MACT floor analysis, we used the run data from the 2010 and 2014 emission tests to calculate the 99th percentile upper limits (UL) statistical interval for the best 12 percent of such incineration units for each pollutant to address the range of operating conditions of the incinerator. The UL is a common statistical interval used to address variability and was the same statistical interval used to calculate the CISWI SRI emission limits (76 FR 15723, March 21, 2011). We also applied a waste variability factor to account for variability in emissions expected to result from the varying waste profiles of OSWI units.

We are also finalizing revised MACT floors for new OSWI units with capacities less than or equal to 10 TPD. Section 129(a)(2) of the CAA requires that MACT for new sources be no less stringent than the emissions control achieved in practice by the best controlled similar unit. Therefore, the approach for new sources was similar to that used with the existing sources (*i.e.,* UL with a waste variability factor applied for the pollutants influenced by waste composition), except the top performing unit's data were used to calculate the MACT floor emission limit instead of the average of the best performing 12 percent of units and a 95 percentile UL was used instead of a 99 percentile UL.

We also examined whether it was appropriate to adopt more stringent ''beyond-the-floor'' regulatory options to determine MACT. Unlike the floor minimum stringency requirements, the EPA must consider various impacts of the more stringent regulatory options in determining whether MACT standards are to reflect ''beyond-the-floor'' requirements, including considering the costs, non-air quality health and environmental impacts, and energy requirements of such more stringent control. OSWI units with capacities less than or equal to 10 TPD often are of very basic, rudimentary design and function. Requiring additional controls on these units is infeasible or simply would be cost prohibitive. For OSWI units with capacities greater than 10 TPD, the 2005 final rule already incorporated beyond-the-floor requirements. We do not have sufficient information for OSWI units with capacities greater than 10 TPD that would enable us to revise the beyond the floor limits. However, based on the information we have from the 2005 rule, requiring any further controls would likely only provide minimal emissions reductions with substantial cost investments. Considering these factors, we concluded that revised beyond-the-floor limits are unreasonable for the OSWI subcategories.

The final emission limits, including the new limits for VSMWC and IWI units with capacities less than or equal to 10 TPD and the unchanged limits for units with capacities greater than 10 TPD, are summarized in table 3 of this preamble. The limits for the VSMWC and IWI with capacities less than or equal to 10 TPD are less stringent than the corresponding limits for VSMWC and IWI with capacities greater than 10 TPD. However, the VSMWC and IWI with capacities less than or equal to 10 TPD operate intermittently (average 2,620 hours or 109 days per year) with a relatively low stack gas flow rate (average 686 dry standard cubic feet per minute at 7 percent oxygen), and so the actual emissions of pollutants are relatively low for these units.[3] For example, the EPA estimates that a representative VSMWC with capacity greater than 10 TPD may emit between 0.006 and 0.01 tons of Cd per year while meeting its limit of 18 μg/dscm,[4] while the highest-emitting VSMWC with capacity less than or equal to 10 TPD emitting at the level of the standard (2,000 μg/dscm) would only emit 0.007 tons of Cd per year.[5]

[3] See Docket Item No. EPA–HQ–OAR–2003–0156–0143.

[4] See Docket Item No. EPA–HQ–OAR–2003–0156–0011.

[5] See Docket Item No. EPA–HQ–OAR–2003–0156–0143.

TABLE 3—FINAL EMISSION LIMITS FOR OSWI UNITS

Pollutant	Concentration units	Existing VSMWC and IWI units [1]		New VSMWC and IWI units [1]	
		≤10 TPD	>10 TPD [2]	≤10 TPD	>10 TPD [2]
Cd	µg/dscm	2,000	18	400	18
HCl	ppmvd	500	15	210	15
Pb	µg/dscm	32,000	226	26,000	226
Hg	µg/dscm	69	74	12	74
SO_2	ppmvd	130	3.1	38	3.1
NO_X	ppmvd	210	103	180	103
PM	mg/dscm	280	30	210	30
DF (TMB) [2]	ng/dscm	4,700	33	3,100	33
DF (TEQ) [3]	ng/dscm	86	([4])	40	([4])
CO	ppmvd	220	40	69	40

[1] Limits are based on TPD capacity.
[2] Limit remains unchanged from 2005 OSWI Rule. For PM, the 2005 OSWI standard was converted from grains per dscf to mg/dscm.
[2] TMB = Total mass basis.
[3] TEQ = Toxic equivalency basis.
[4] DF TEQ basis was not calculated for the 2005 rule.

Comments on the proposed revisions to the MACT floor recalculations and OSWI subcategories and our responses can be found in section IV.B of this preamble. Additional information on the development of the emission limits may be found in section II.B. of the preamble to the 2020 Proposed Rule and in the memorandum, *Emission Limit Calculations for Existing and New Sources for the Final Other Solid Waste Incinerator (OSWI) Rulemaking,* which is available in the docket (see Docket EPA–HQ–OAR–2003–0156) for this action.

D. What are the final rule amendments addressing other definitions for the OSWI category?

In addition to the proposed changes to applicability-related definitions described in section III.B of this preamble, the EPA included in its 2020 Proposed Rule definitions for ''waste profile'' and ''small OSWI unit.'' As discussed in section III.C of this preamble, the EPA is finalizing the proposed subcategories and related MACT floor recalculations for new and existing VSMWC and IWI units with capacities less than or equal to 10 TPD. Accordingly, the EPA is finalizing separate flexibilities to the testing, monitoring, recordkeeping, and reporting requirements for OSWI units with capacities less than or equal to 10 TPD that require waste characterization and waste profile data (see section III.F.1 of this preamble). For these reasons, we are finalizing the proposed revision to add a definition for ''waste profile'' as related to compliance with the VSMWC and IWI with capacity of less than or equal to 10 TPD standards. The EPA proposed to define waste profile to mean the amount of each waste category burned as a percentage of total waste burned on a mass basis. We are not finalizing the proposed definition for ''small OSWI unit,'' but are retaining text for VSMWC and IWI units with capacities less than or equal to 10 TPD in keeping with the final subcategories and MACT floor redeterminations discussed in section III.C of this preamble.

Following consideration of the comments received and discussions with state and Tribal authority to gather additional data on the types of units referenced, the EPA proposed in the 2024 SNPRM to define a rudimentary combustion device separately from VSMWC or IWI because rudimentary combustion devices lack key features of commercially available incineration units and the emissions information, limits, and controls developed for the OSWI rule are not appropriate for them. The EPA proposed to define a rudimentary combustion device as a combustion device with a capacity less than or equal to 10 TPD that is designed and constructed without one or more of the following elements: (1) a stack, chimney, or pipe designed for the purpose of managing air flow and discharging flue gases from combustion; (2) mechanical draft to provide air flow; (3) burners designed to manage the combustion process; (4) an ancillary power supply to operate; or (5) supplemental fuel burners or nozzles. The EPA solicited additional comments and data to refine the definition of ''rudimentary combustion device'' and to better understand the number of devices and individuals using these devices in rural communities. Following review of the comments received on the 2024 SNPRM, we are finalizing revisions to the applicability requirements at 40 CFR 60.2885 and 40 CFR 60.2991 and adding a definition of ''rudimentary combustion device'', with minor revisions from the 2024 SNPRM proposal. For the reasons described in section IV.A of this preamble, we are clarifying the proposed requirements and finalizing the definition of ''rudimentary combustion device'' as a combustion device with a capacity less than or equal to 10 TPD that is designed and constructed without one or more of the following elements: (1) a stack, chimney, or pipe designed for the purpose of discharging flue gases from combustion; (2) mechanical draft to provide air flow; (3) burners designed to initiate, and/or assist the combustion process, including burners designed to burn supplementary fuel; or (4) an ancillary power supply to operate. Additional information on this proposed revision can be found in section III of the preamble to the 2024 SNPRM.[6]

E. What are the final rule amendments addressing emissions during periods of SSM?

Currently, the OSWI standards do not apply during SSM periods (see 40 CFR 60.2918, 60.3025). The EPA proposed to eliminate this limitation or qualification on the applicability of the OSWI standards. The EPA proposed this change in light of the 2016 remand and certain legal developments, including a decision by the D.C. Circuit that invalidated certain regulations related to SSM in the 40 CFR part 63 General Provisions (*Sierra Club* v. *EPA,* 551 F.3d 1019 (2008)). We are finalizing the proposed amendments to the OSWI standards from the 2020 Proposed Rule to remove and revise provisions related to SSM.

[6] 89 FR 63045–47 (July 25, 2024).

For the reasons explained in the 2020 Proposed Rule (see section II.B.3 of the proposal preamble at 85 FR 54178), we determined that OSWI units can meet the applicable standards at all times, including during periods of startup and shutdown. In establishing the standards in this rule, the EPA has taken into account startup and shutdown periods and, for the reasons explained below, has not established alternate standards for those periods. As explained in the 2020 Proposed Rule, we have determined that during startup most OSWI units burn natural gas or clean distillate oil, and waste is not added until the unit has reached suitable combustion temperatures; and during shutdown periods, emissions are generally significantly lower than emissions during normal operations because the materials in the incinerator will be almost fully combusted before shutdown occurs.

Periods of startup, normal operations, and shutdown are all predictable and routine aspects of a source's operations. Malfunctions, in contrast, are neither predictable nor routine. Instead, they are, by definition, sudden, infrequent, and not reasonably preventable failures of emissions control, process, or monitoring equipment. (40 CFR 63.2) (definition of malfunction). The EPA interprets CAA section 112 as not requiring emissions that occur during periods of malfunction to be factored into development of CAA section 112 standards. This reading has been upheld by the court in *U.S. Sugar Corp.* v. *EPA,* 830 F.3d 579, 606–610 (D.C. Cir. 2016). The court's reasoning in *U.S. Sugar* applies equally to CAA section 129 standards given the similarities between the CAA section 112 and 129 standard setting criteria. Therefore, we are removing 40 CFR 60.2918 and 40 CFR 60.3025, which provided exemptions for SSM.

We are also finalizing, as proposed, other changes to the SSM standards in light of the EPA's experience with the CAA section 129 solid waste incinerator rules. These changes include harmonizing revisions to other rule provisions that reference SSM, such as: revising the definition of ''Deviation'' to remove language for periods of SSM; clarifying that the 12-hour rolling average values must include periods of continuous emissions monitoring systems (CEMS) data during startup and shutdown by adding a definition of ''CEMS data during startup and shutdown'' in 40 CFR 60.2977 and 40 CFR 60.3078; revising the equations used to calculate the 12-hour rolling average for CO; and updating requirements related to SSM for recordkeeping and reporting in 40 CFR 60.2949, 60.2957, 60.2958, 60.3046, 60.3052, and 60.3053. These changes are further described in section III.F.2 of this preamble. We did not receive comments on the proposed removal and revisions of provisions related to SSM.

F. What are the final rule amendments addressing testing, monitoring and reporting requirements?

1. Initial and Continuous Compliance Demonstration

Consistent with the proposal, we are finalizing the substitute means of compliance demonstration (SMCD) for VSMWC and IWI units with capacities less than or equal to 10 TPD. We have considered the cost of testing, and we recognize that testing and monitoring requirements can impose substantial financial burdens and technical challenges on owners and operators of these sources. The SMCD provides an alternative to the general testing and monitoring requirements for VSMWC and IWI units with capacities less than or equal to 10 TPD. VSMWC and IWI units with capacities greater than 10 TPD must continue to demonstrate compliance by individual stack testing.

However, stack testing is unfeasible for some VSMWC and IWI units with capacities less than or equal to 10 TPD. As we stated in the proposal and confirmed by information we gathered between the proposal and this final action, we believe that many of these units are located in remote areas, such as SRIs located on oil and natural gas platforms on Alaska's North Slope in the Beaufort Sea and other areas that are similarly isolated which represent 29 of the 31 OSWI units that are not rudimentary combustion devices, surrounded by water or wetlands, or that have limited infrastructure or are difficult to access. Getting testing crews to those incinerators would be extremely challenging and costly. Other units could be considered readily accessible, but they are not equipped with stacks adequate to allow emissions sampling for performance tests. Such units would need to be modified to be able to conduct compliance testing. However, costs and logistics would prevent these types of incinerators from making the necessary changes. In still other cases, it simply may not be physically possible to modify an existing incinerator stack to allow compliance testing.

Therefore, we are finalizing, as proposed, an option for using a ''representative'' initial compliance demonstration. Owners and operators of VSMWC or IWI units with capacities less than or equal to 10 TPD who have not previously submitted testing meeting the requirements of the final standards would have to submit detailed information about their units, including: the make, model, and manufacturer of the unit; the type and capacity of the unit; the unit's air pollution control devices (if any); the type and quantity of waste incinerated; and the charge rate. They would then identify a representative performance test in the EPA's WebFIRE database.

A representative performance test must be conducted on an OSWI unit that has similar throughput, methods of processing and burning waste, operating temperatures, types of wastes or supplemental fuels burned, and waste profile as the OSWI unit using the SMCD. A representative performance test must be conducted consistent with the requirements in the OSWI rule; demonstrate compliance with the OSWI standards; and include the following information in the report: unit design (including air pollution control devices), charge rate during the test, type of operation, combustion temperature during the test, types of waste burned during the test and the relative amount of each waste to the total waste burned (waste profile), type and amount of supplemental fuels used during the test, and, if the tested unit has an air pollution control device, the operating parameter data for the control device during the test. Not all tests in the WebFIRE database may qualify. If there is no representative performance test available in the WebFIRE database, the OSWI unit with capacity less than or equal to 10 TPD cannot use the SMCD and must instead conduct its own initial performance test.

To use this substitute option for demonstrating initial compliance, the owner/operator must submit the following information: a notice of intent to use the SMCD; waste profile information; and a representative performance test.[7] Each of these elements is discussed below.

a. Notice of Intent

We are finalizing provisions that offer VSMWC and IWI units with capacities less than or equal to 10 TPD two options for initial performance tests: conducting an individual initial performance test or using the SMCD described below. New VSMWC and IWI units with capacities less than or equal to 10 TPD that were constructed after August 31, 2020, or

[7] This information must be submitted through the EPA's Central Data Exchange (CDX) using the Compliance and Emissions Data Reporting Interface (CEDRI).

modified or reconstructed after December 29, 2025, must either complete initial performance tests within 60 days after reaching the charge rate at which they will operate, but no later than 180 days after initial startup,[8] or they must submit a notice of intent to use the SMCD by December 29, 2025, or within 60 days after initial startup, whichever of these dates is later. The notice of intent should include the manufacturer, make, model, and type of unit, and documentation showing that the capacity of the unit is less than or equal to 10 TPD. Owners and operators of existing VSMWC and IWI units with capacities less than or equal to 10 TPD (constructed on or before August 31, 2020, and not modified or reconstructed after December 29, 2025) are not required to submit a notice of intent to the EPA. However, they are required to either identify the results of an existing performance test in the EPA's WebFIRE database that is representative of their type of OSWI unit, if they intend to use the SMCD, or conduct an initial performance test; this must happen no later than 3 years after a state plan is approved or no later than July 1, 2030, whichever date is earlier.

b. Waste Profile Information

As we stated in the proposal, we recognize that the SMCD relies on the availability of the results of performance tests conducted on potentially representative sources in the EPA's WebFIRE database. Because we anticipate that owners and operators using the SMCD will need time to meet its conditions, we encourage them to submit their notices of intent to use the substitute means of compliance and collect data for waste characterization as soon as possible after this rule is promulgated. For this reason, beginning on December 29, 2025, and until the owner or operator identifies a representative performance test, but before March 30, 2027 or 60 days after the OSWI unit reaches the charge rate at which it will operate or 180 days after initial startup, whichever is later, each owner or operator of a new VSMWC and IWI unit with capacity less than or equal to 10 TPD planning to use the SMCD must collect data on a weekly basis to characterize the unit's operations and waste profiles, as further discussed in section III.F.1.c of this preamble. The waste profile information will record the unit's differing waste streams and waste variability in order to develop a representative waste profile. The unit's profile can then be used to identify a representative performance test for the unit's SMCD.

c. Representative Testing

We are finalizing an SMCD alternative allowing owners and operators of VSMWC and IWI units with capacities less than or equal to 10 TPD to identify a representative performance test in the WebFIRE database and submit information about the representative performance test and documentation of how the performance test is representative for their unit (*e.g.,* based on the unit type and design, charge rate, operating temperatures, types of waste burned, and any air pollution control devices) to the Administrator through the EPA's Central Data Exchange (CDX) using the Compliance and Emissions Data Reporting Interface (CEDRI). Owners and operators must maintain a record of the representative performance test report (acquired from the EPA's WebFIRE database) and the submitted documentation of how the test is representative. The EPA encourages owners and operators to find similar sources by reviewing the notices of intent to use the SMCD and/or performance tests, available in the EPA's WebFIRE database. The EPA still anticipates that similar sources will coordinate to develop test protocols and find cost sharing opportunities by having representative sources conduct a performance test that can be used by all sources in that group.

If owners and operators of existing VSMWC and IWI units with capacities less than or equal to 10 TPD choose to use the SMCD, we are requiring them to submit SMCD information identifying the representative performance test through CDX using CEDRI beginning no later than March 30, 2027 or 60 days after the OSWI unit reaches the maximum charge rate at which it will operate, but no later than 180 days after initial startup, whichever date is later. This period will allow the owner or operator time for reviewing notices available on the EPA's WebFIRE database, finding and coordinating with similar sources, developing a testing protocol that will work for all sources within a group, conducting the performance tests, and electronically submitting the results of the test through CEDRI (see section III.E.3 of this preamble for a discussion of electronic reporting). The period will also allow time for the EPA to transfer these results to the EPA's WebFIRE database and for owners and operators to find a representative performance test and submit information on how it is representative to the Administrator.

Given the time needed to identify and coordinate similar source groups or develop test protocols, and because the compliance date for new sources is earlier than the compliance date for existing sources and it is uncertain how many tests will be conducted, owners or operators of existing sources are encouraged to start collecting information that would be useful for identifying similar sources and submit this information as soon as possible. This will greatly increase the likelihood that a representative test will be available in the WebFIRE database prior the compliance deadline.[9] As noted in our proposal, owners and operators who do not provide their initial waste characterization data in a timely manner could miss the opportunity to avail themselves of this option due to the amount of planning, time, and resources required for similar sources to coordinate and perform performance tests. Owners and operators who cannot find a representative test conducted for a unit that is similar to their unit must conduct their own initial performance tests.

d. Continuous Compliance Demonstration

We are also finalizing, as proposed, an alternative waste characterization (AWC) option for demonstrating continuous compliance available to all VSMWC and IWI units with capacities less than or equal to 10 TPD that are subject to the OSWI rules. We are finalizing this AWC option in response to comments pointing out the difficulties of testing these units, which are generally located in areas that are remote and difficult to access.

In lieu of conducting annual performance tests, this alternative demonstration of continuous compliance will require recordkeeping. The recordkeeping requirements include recording the source-specific waste profiles and incinerator unit operating parameters, including the daily average charge rate and the 3-hour average combustion chamber temperature of the unit. As discussed in section IV.C of this preamble, in response to comments received, we have modified the final rule to require

[8] For units that startup between August 31, 2020, and December 29, 2025, the initial performance test must be conducted within 60 days after the OSWI unit reaches the charge rate at which it will operate, but no later than 180 days after its initial startup, or by February 25, 2026, whichever date is later.

[9] The distinction between a new and existing unit does not in itself preclude the use of a performance test. If a new unit is similar in design and operation to an existing unit, the new unit may use a performance test conducted by an existing unit and vice versa. However, if a performance test is conducted on an existing unit, it must, among other things, demonstrate initial compliance with the emissions limits for new units for a new unit to use it as a representative performance test.

that the facility use its records at the end of each calendar quarter to demonstrate that the waste combusted is consistent, within +/- 15 percent by weight, with the percentage established for the components of the waste stream according to the waste profiles established during the facility's initial performance test or established in the representative initial performance test for units using the SMCD.[10] The facility must report any deviations from the quarterly average waste profile requirements in its deviation report. Additionally, the records must demonstrate that the unit is operated within the charge rate and temperature ranges established during the initial performance test or the representative performance test.

As described in the proposal, we are finalizing a requirement that if the facility anticipates combusting a waste stream with a different profile, the owner/operator must conduct a performance test of the unit with a waste stream representative of the new waste profile, or alternatively, must identify a representative performance test report in the WebFIRE database and submit the information required by the SMCD, before combusting the modified waste stream.[11] Similarly, if the facility anticipates exceeding or operating outside of the established operating parameter ranges, the owner/operator must conduct a performance test of the unit while it is operating at the new parameter limits, or find a representative performance test with those operating parameter limits in the WebFIRE database and submit the information required by the SMCD, to confirm that the unit continues to meet the OSWI emission standards under the new operating parameter limits. Failure to comply with the retesting requirement is a deviation from the OSWI standards.

We are finalizing, as proposed in the 2020 Proposed Rule, revisions to monitoring to make the OSWI standards more consistent with the monitoring requirements in other CAA section 129 rules. For example, the only air pollution control device for which the 2005 final OSWI standards provide operating requirements is wet scrubbers. We are finalizing revisions to 40 CFR 60.2916 and table 2 to subpart EEEE and 40 CFR 60.3023 and table 3 to subpart FFFF to include operating limits and operating parameter monitoring requirements for additional controls that may be employed for OSWI units, including dry scrubbers, electrostatic precipitators, and fabric filters. Additionally, we are finalizing a clarification to 40 CFR 60.2917 and 40 CFR 60.3024 that OSWI units that use an alternate method for air pollution control beyond a wet scrubber, dry scrubber, electrostatic precipitator, or fabric filter, including other methods such as material balance, may petition the EPA for specific operating parameter limits in these cases. The final requirements add flexibility for facilities by expanding the control options available. In addition, we are finalizing as proposed revisions to the requirements in 40 CFR 60.2916, 40 CFR 60.2928, 40 CFR 60.3023, and 40 CFR 60.3023 for owners and operators of OSWI units using control options to require that the minimum operating parameters (*e.g.,* combustion operating chamber temperature, pressure drop, liquid flow rate) established for initial compliance are calculated based on the lowest 1-hour average as measured during the most recent performance test (or representative performance test) demonstrating compliance. The current OSWI standards required that these parameters be calculated using the average as measured during the most recent performance test. Similarly, we are revising the continuous compliance requirements in 40 CFR 60.2932(c) and 40 CFR 60.3023(c) to specify the averaging times for continuous compliances for operating parameters for the extended control options (generally, 3-hour rolling averages).

Moreover, as we proposed, we are removing the requirement for CO and oxygen (O_2) CEMS for VSMWC and IWI units with capacities less than or equal to 10 TPD that use the AWC option in lieu of complying with the annual performance testing requirements. We are making this change for the same reasons that we are finalizing an alternative to the annual performance test. In addition to the cost of maintaining CEMS, calibrating a CEMS generally requires an annual stack test to verify the operation of the CEMS. Providing an alternative to conducting annual performance tests while continuing to require CEMS, which need annual stack tests, would not achieve the stated goals and benefits of providing an alternative to annual performance tests for showing continuous compliance.

We are finalizing, as proposed, an option included in the 2020 Proposed Rule that allows OSWI units to use CO CEMS data in lieu of initial and annual testing for CO, provided the CEMS has been previously certified and is meeting the ongoing quality assurance/quality control requirements. Currently, facilities are required under 40 CFR 60.2927 and 40 CFR 60.3030 to conduct initial and annual performance testing to determine compliance with all emission limitations, including CO, and to also continuously monitor CO emissions using CEMS under 40 CFR 60.2939 and 40 CFR 60.3038. Facilities that opt to use CO CEMS data to demonstrate continuous compliance must use a 12-hour rolling average of the 1-hour arithmetic average CEMS data to determine compliance with the CO emission limitations. However, the initial performance evaluation (CEMS certification) must be completed prior to collecting CEMS data for the initial compliance demonstration. Under the final rule, such units could also use CO CEMS data in lieu of conducting an annual performance test for CO. This change provides flexibility for sources and reduces the cost burden associated with testing, while assuring compliance based on continuously measured emissions data.

As discussed in section IV.C of this preamble, for OSWI units that choose to conduct annual testing, we are revising the compliance timeline for the annual performance test in response to comments that weather and geographic constraints may prevent facilities from meeting the timeline on a 12-month basis. The final rule requires annual performance tests to be conducted within 14 months following the initial performance test and, subsequently, within 14 months from the prior years' tests.

For a more detailed discussion of these amendments addressing testing and monitoring requirements for VSMWC and IWI units see section II.B.4 of the proposal preamble (85 FR 54178). Section IV.C of this preamble provides a summary of the significant comments on the proposal and our responses to those comments. A full compilation of comments and responses can be found in the document, *Summary of Public Comments and Responses for the Standards of Performance for New Stationary Sources and Emission Guidelines for Existing Sources: Other Solid Waste Incineration Units Review,* which is available in the docket (see

[10] If, for example, the paper component of the waste stream during initial testing was 20 percent, then burning waste streams with a paper component between 5 and 35 percent of the total waste stream would be acceptable quarterly operation and, assuming all other requirements are met, additional testing would not be required for the source.

[11] To use a representative test, the owner or operator of a unit must show that the representative test is of a unit having a similar throughput, method of processing and burning waste, charge rate, operating temperatures, waste management plan, estimated waste variability, and waste profile as its unit.

Docket EPA–HQ–OAR–2003–0156) for this rulemaking.

2. Recordkeeping and Reporting

For units using the SMCD to demonstrate initial compliance, we are finalizing, as proposed, a requirement that owners and operators maintain the following records: the notice of intent to use the SMCD, along with documentation of the unit's design, operation, and capacity; initial waste characterization and operating data; and documentation of how the selected substitute test is representative of the unit.

We are also finalizing recordkeeping requirements to be used with the AWC option. Owners and operators must maintain records on: start and end times of the unit's operation; the amount or weight of each waste type (*e.g.,* pounds of solid waste, food waste, wood, or yard waste); the percentage of each type of waste burned; the 3-hour average temperature and charge rate; and operating records for units using air pollution controls such as a wet scrubber, dry scrubber, electrostatic precipitator, or fabric filters. Unit owners and operators must also keep records of periods when the waste profile does not meet the requirements as tested. As stated in the proposal, these recordkeeping requirements will help ensure that VSMWC and IWI units with capacities less than or equal to 10 TPD choosing the AWC option can demonstrate compliance with the emission and operating limits of the OSWI standards. The recordkeeping will also help to demonstrate that the percentage of waste components burned by VSMWC and IWI units with capacities less than or equal to 10 TPD is within +/−15 percent of the percentages established for each waste category incinerated at a unit according to the profiles established during the initial performance test or representative performance test. We are also finalizing, as proposed, a reporting requirement that owners and operators include in annual reports a statement that there were no deviations from the waste characterization requirements and that the unit has been operated within the operating parameter limits. As we stated in the proposal, these recordkeeping and reporting requirements are intended to help ensure that there is adequate information available with which to determine compliance with the standards; to ascertain the severity of any failure to meet a standard; and to further assure compliance with the standards at all times.

Consistent with the proposal, we are also clarifying the timeline for owners and operators who choose the SMCD to submit their annual compliance reports. They must submit their annual compliance reports no later than 12 months after they submit the representative initial performance test and description of how the test is representative for the OSWI unit.

We are finalizing, as proposed, revisions to the recordkeeping and reporting requirements for deviations included in the 2020 Proposed Rule to clarify that a deviation includes any ''failure to meet an applicable standard'' and to clarify what information must be recorded and reported. These changes include the following:

- Revising the definition of ''deviation'' to remove language for periods of SSM, as discussed in section III.E of this preamble.
- Revising 40 CFR 60.2932(c) and 40 CFR 60.3033(c) to clarify the alarm time that constitutes a deviation from the operating limit for OSWI units with fabric filters and bag leak detection systems.
- Revising 40 CFR 60.2942(f) and 40 CFR 60.3041(f) to clarify that, for OSWI units using CEMS, failure to collect required data is a deviation from the monitoring requirements.
- Revising 40 CFR 60.2949 and 40 CFR 60.3046 to specify that facilities must retain a record identifying the calendar dates, times, and durations of malfunctions and a description of the failure and the corrective action taken.
- Revising 40 CFR 60.2956(e) and 40 CFR 60.3051(e) to clarify that for OSWI units with CEMS, the annual report must include a statement that there were no periods during which the CEMS were inoperative, inactive, malfunctioning, or out of control.
- Removing and reserving deviation reporting requirements (previously 40 CFR 60.2956(g); 40 CFR 60.3051(g)) previously included as part of the annual report to remove redundant reporting; these requirements are included in the deviation report submitted on a semiannual basis (40 CFR 60.2958; 40 CFR 60.3053).
- Modifying the annual reporting requirements in 40 CFR 60.2956 and 40 CFR 60.3051 to require facilities to provide a statement that there was no deviation identified from the waste characterization (*i.e.,* each quarter, the waste types burned are within 15 percent variation of the profiles established during the initial performance test) and the unit has been operated within the charge rate and temperature ranges established when no deviations have occurred during the reporting period.
- For deviation reporting, revising the title of 40 CFR 60.2957 and 40 CFR 60.3052 to ''What other reports must I submit if I have a deviation?'' and reorganizing 40 CFR 60.2957(a) and 40 CFR 60.3052(a) to be consistent with the definition of ''deviation'' and to better reflect the types of deviations which must be reported.
- Modifying the requirements of 40 CFR 60.2958 and 40 CFR 60.3053 to clarify the contents of the deviation report, including identifying the calendar dates, times, and durations of any deviations and a description of any corrective actions taken, and adding new requirements to report deviations from the waste characterization and operating parameter limits established for VSMWC and IWI units with capacities less than or equal to 10 TPD.

As discussed in section IV.C.2 of this preamble, we are making one minor change to the proposed reporting requirements for qualified OSWI unit operators at 40 CFR 60.2956(j) and 40 CFR 60.3051(j) to clarify that facilities must report ''the start date, start time, and duration in hours for each period of operation when all qualified OSWI unit operators were unavailable for more than 12 hours but less than 2 weeks''. The proposed language referenced ''each period when qualified OSWI unit operators were unavailable . . .'' and unintentionally included periods of off-season, maintenance, or periods of shutdown. The final rule clarifies the text to ''each period of operation'' to exclude off-season, maintenance, and shutdown periods.

Lastly, we are finalizing, as proposed, additional changes to the recordkeeping and reporting requirements in 40 CFR 60.2949(b) and 40 CFR 60.2956(d) and (f) and 40 CFR 60.3046(b) and 40 CFR 60.3051(d) and (f) from the 2020 Proposed Rule that include consistency edits based on the revisions to allow for use of CO CEMS data in lieu of annual testing for CO (for OSWI units that have capacities greater than 10 TPD) (discussed in section III.F.1 of this preamble) and the revisions to the monitoring requirements to ensure consistency with other CAA section 129 rules such as CISWI (*e.g.,* adding operating parameters for controls other than a wet scrubber that may be employed for OSWI units and clarifying the frequency of the data recording or averaging for each required operating parameter, discussed in section III.F.1 of this preamble).

For a more detailed discussion of these amendments to recordkeeping and reporting requirements, see section

II.B.5 of the proposal preamble (85 FR 54178; August 31, 2020). Section IV.B.2 of this preamble provides a summary of key comments we received on these amendments and our responses.

3. Electronic Reporting

To increase the ease and efficiency of data submittal and data accessibility, we are finalizing, as proposed, a requirement that owners or operators of OSWI units submit required performance test reports, performance evaluation reports, deviation reports, and annual compliance reports through the EPA's Central Data Exchange (CDX) using the Compliance and Emissions Data Reporting Interface (CEDRI), as included in the 2020 Proposed Rule. The final rule requires that performance test results be submitted in the format generated through the use of the EPA's Electronic Reporting Tool (ERT) or an electronic file consistent with the extensible markup language (XML) schema on the ERT website.[12] Similarly, performance evaluation results of CEMS that include a relative accuracy test audit must be submitted in the format generated through the use of the ERT or an electronic file consistent with the XML schema on the ERT website.

For deviation reports and annual compliance reports, the final rule requires owners and operators to use the appropriate spreadsheet template to submit information to CEDRI, beginning June 30, 2026, or once the reporting forms have been made available in CEDRI for at least 1 year, whichever date is later. The final version of the template for these reports will be located on the CEDRI website.[13] If the reporting template specific to this subpart is not available in CEDRI at the time that the report is due, facilities must submit the report to the Administrator at the appropriate address listed in 40 CFR 60.4. Once the form has been available in CEDRI for at least 1 year, facilities must submit all subsequent reports via CEDRI. Furthermore, we are finalizing, as proposed, provisions that allow facility operators to seek extensions for submitting electronic reports for circumstances beyond the control of the facility, *i.e.,* for a possible outage in the CDX or CEDRI (see 40 CFR 60.2961(d) and 40 CFR 60.3056(d)) or, for a force majeure event, see 40 CFR 60.2961(e) and 40 CFR 60.3056(e) in the time just prior to a report's due date, as well as provisions outlining the process to assert such a claim.

For a more detailed discussion of these final amendments, see section II.B.6 of the preamble to the 2020 Proposed Rule (85 FR 54178), as well as section III.B of this preamble on compliance with the Paperwork Reduction Act (PRA). For a more thorough discussion of electronic reporting, see the memorandum, *Electronic Reporting Requirements for New Source Performance Standards (NSPS) and National Emission Standards for Hazardous Air Pollutants (NESHAP) Rules,* which is available in the docket (see Docket EPA–HQ–OAR–2003–0156) for this rulemaking.

4. Technical Edits, Clarifications, and Additional Revisions

We are finalizing several of the revisions that we proposed for technical corrections, harmonizing changes, clarifications, and improvements to the OSWI standards in the 2020 Proposed Rule, with the exception of certain proposed changes related to testing or compliance requirements for VSMWC and IWI units with capacities less than or equal to 10 TPD that we are finalizing with revisions (see sections III.F.1 and III.G of this preamble). These revisions include:

- Including operating limits and operating parameter monitoring requirements for additional controls that may be employed for OSWI units, including dry scrubbers, electrostatic precipitators, and fabric filters, and revisions to clarify that OSWI units that use an alternate method for air pollution control may petition the EPA for specific operating parameter limits.
- Revising the requirements for owners and operators of OSWI units using control options to require that the minimum operating parameters (*e.g.,* combustion operating chamber temperature, pressure drop, liquid flow rate, etc.) established for initial compliance are calculated based on the lowest 1-hr average as measured during the most recent performance test (or representative performance test) demonstrating compliance, and revising the continuous compliance requirements to specify the averaging times for continuous compliances for operating parameters for the extended control options (which is generally based on 3-hour rolling averages).
- Clarifying that for continuous monitoring, the 12-hour rolling average values must include CEMS data during startup and shutdown.
- Adding a requirement that the incinerator operator training course under 40 CFR 60.2905(c) and 40 CFR 60.3014(c) must include coverage of good combustion practices as well as waste characterization procedures, and related actions for prevention and correction of malfunctions.
- Adding a provision to 40 CFR 60.2911 and 40 CFR 60.3020 to clarify that batch units must always have a qualified operator accessible times during the operation of the unit.
- Updating 40 CFR 60.2890 and 40 CFR 60.2998 to clarify the principal components of the subparts include definitions and table.
- For existing units, adding new section 40 CFR 60.3003 to clarify that certain substitute means of compliance demonstration requirements must be completed prior to the compliance date.
- Modifying 40 CFR 60.2910 to 40 CFR 60.3019 to clarify that site-specific documentation must include procedures for establishing initial and continuous compliance.
- Updating requirements for initial and annual performance tests such that they must be conducted according to the methods and meet the revised emissions limitations specified in tables 1 through 1b to subpart EEEE and tables 2 and 2a to subpart FFFF, as applicable.
- Updating 40 CFR 60.2922(e), 40 CFR 60.2940(c), 40 CFR 60.3027(e), and 40 CFR 60.3039(c) to add references to ASME/ANSI PTC 19.10–198 Part 10 (2010), ''Flue and Exhaust Gas Analyses'' (previously approved as an alternative method to EPA Method 3B in the 2005 OSWI rule).
- Adding an additional test method, ASTM D7520–16, ''Standard Test Method for Determining the Opacity of a Plume in the Outdoor Ambient Atmosphere,'' as an acceptable alternative to EPA Method 9 for opacity. This test method was identified as an acceptable alternative to EPA Method 9 when specific provisions are followed.
- Revising 40 CFR 60.2932(d) and 40 CFR 60.3033(d) to specify that VSMWC and IWI units with capacities less than or equal to 10 TPD using control devices must continuously monitor operating parameters and specifying the averaging values to demonstrate continuous compliance.
- Revising 40 CFR 60.2939 and 40 CFR 60.3038 (requirements for installation and calibration of CEMS) such that they apply only to OSWI units with a capacity greater than 10 TPD.
- Clarifying the installation and calibration requirements for operating parameter equipment in 40 CFR 60.2944 and 40 CFR 60.3043, including adding new requirements for bag leak detection systems.
- Revising 40 CFR 60.2949(b) and 40 CFR 60.3046(b) to incorporate

[12] *https://www.epa.gov/electronic-reporting-air-emissions/electronic-reporting-tool-ert.*

[13] *https://www.epa.gov/electronic-reporting-air-emissions/cedri.*

recordkeeping for data from OSWI units that use an alternate method for air pollution control beyond a wet scrubber, dry scrubber, electrostatic precipitator, fabric filter, or other method such as material balance.

- Clarifying that for CO CEMS, records of annual performance evaluations must be maintained (40 CFR 60.2949(g) and 40 CFR 60.3046(g)).
- Adding a recordkeeping requirement for notifications submitted for excluded units, such as temporary-use incinerators.
- Revising 40 CFR 60.2954 to clarify that a copy of the waste management plan must be submitted following the initial performance test, for consistency with 40 CFR 60.3049(c).
- Clarifying that for facilities with a title V permit, the permit may address the submittal timeline of the annual report (40 CFR 60.2955, 40 CFR 60.3050).
- Minor clarifications to the content of the annual reports and deviation reports, including what information must be submitted if a performance test is conducted during the annual period and what information may be excluded if the reports are submitted via CEDRI (40 CFR 60.2956, 40 CFR 60.3051).
- Other minor grammatical or technical edits (*e.g.,* corrections to typographical errors or cross-references within existing provisions, or to clarify existing provisions).

We are also including several additional minor clarifying edits in the final rule based on comments received during the public comment period, such as adjusting the testing requirements for seasonal weather issues. The comments and our responses can be found in section IV.B.1 of this preamble and in the *Summary of Public Comments and Responses for the Standards of Performance for New Stationary Sources and Emission Guidelines for Existing Sources: Other Solid Waste Incineration Units Review,* available in the docket for this rulemaking.

G. What are the effective and compliance dates of the standards?

In the 2020 Proposed Rule, we established that OSWI units with capacities less than or equal to 10 TPD that commenced construction after August 31, 2020 are new units and those that commenced construction prior to August 31, 2020 are considered existing incineration units. We are finalizing the effective and compliance dates for OSWI units to distinguish between new and existing OSWI units and to require any incinerator already subject to a current OSWI standard to continue to comply with that standard until the effective date of the revised OSWI standards. Table 4 of this preamble provides the applicable compliance dates for new and existing OSWI units.

The effective date of this final action is August 29, 2025. We are finalizing the compliance dates for the amended rule as proposed. The compliance dates depend on whether the OSWI unit is a VSMWC or IWI unit with capacity less than or equal to 10 TPD, or a VSMWC or IWI unit with a capacity greater than 10 TPD, and whether the OSWI unit is a new or existing unit.

However, we are are revising the dates by which a source is considered a new source to be consistent with the construct of CAA sections 111 and 129. A new VSMWC or IWI unit is a unit that commenced construction after August 31, 2020, or commenced modification or reconstruction on or after December 29, 2025. Sources that commenced construction after December 9, 2004, or commenced reconstruction or modification on or after June 16, 2006, which are currently new sources under the 2005 OSWI rule, will become existing sources. However, these sources must continue to comply with the requirements of 40 CFR part 60, subpart EEEE, including the emission limits in table 1 to the subpart, until the unit is subject to 40 CFR part 60, subpart FFFF through an approved state plan or Federal plan. The 2005 OSWI rule emission limits for new and existing sources were identical, so the stringency of the limits and ability of the unit to comply with the limits is not changing for sources which were new sources under the 2005 OSWI rule and will becoming existing sources under the this final rule.

Similarly, as discussed in sections III.C and IV.A of this preamble, SRIs which are currently regulated under the CISWI rules will become subject to regulation under the OSWI rule in this final action. We believe that all or most of these units will be VSMWCs with capacities less than or equal to 10 TPD. If any SRIs meet the definition of a new unit, then these new units must demonstrate compliance with the final rule by no later than December 29, 2025, or by the date the unit first begins operation, whichever is later. If any SRIs do not meet the definition of a new unit, then these units must demonstrate compliance by July 1, 2030 or 3 years after the effective date of the state plan approval, whichever is earlier. However, SRIs that do not meet the definition of a new unit, and which are currently regulated under the CISWI rules must continue to demonstrate compliance with subpart CCCC or DDDD of this part, or subpart IIIa of part 62, until the unit becomes subject to the requirements of an approved state plan or federal plan that implements subpart FFFF of this part (Emission Guidelines and Compliance Times for Other Solid Waste Incineration Units).

TABLE 4—COMPLIANCE SCHEDULE FOR NEW AND EXISTING UNITS

For. . .	Complete this action	By this date
New units as defined in 40 CFR 60.2886	Initial Performance Test.	60 days after unit reaches the charge rate at which it will operate, but no later than 180 days after its initial startup.
Existing units as defined in 40 CFR 60.2992.	Initial Performance Test.	No later than 180 days after final compliance date.
New units as defined in 40 CFR 60.2015	Initial Performance Test.	60 days after unit reaches the charge rate at which it will operate, but no later than 180 days after its initial startup.
Existing units as defined in 40 CFR 60.2550.	Initial Performance Test.	No later than 180 days after final compliance date.
New units subject to requirements in 40 CFR 60.2932(a).	Annual performance test.	No later than 14 calendar months following the initial performance test.
Existing units subject to requirements in 40 CFR 60.3033(a).	Annual performance test.	No later than 14 calendar months following the initial performance test.

This action eliminates the SSM provisions at 40 CFR 60.2918 and 40 CFR 60.3025 and adds electronic reporting. Eliminating the SSM provisions will provide more data on emission limits and operating limits. As noted at proposal, the finalized electronic reporting provisions will reduce burden on regulated facilities, delegated air agencies, and the EPA. Accordingly, we are finalizing the removal of SSM provisions and the addition of electronic reporting for all OSWI units. As stated in section III.F.3 of this preamble, for deviation reports and annual compliance reports, the final rule requires owners and operators to use the appropriate spreadsheet template to submit information to CEDRI beginning June 30, 2026, or once the reporting forms have been made available in CEDRI for at least 1 year, whichever date is later. The final rule requires owners and operators to submit performance test reports and CEMS performance evaluation reports to CEDRI beginning on December 29, 2025.

1. OSWI Units With Capacities Less Than or Equal to 10 TPD

For VSMWC and IWI units with capacities less than or equal to 10 TPD, we are finalizing revised MACT standards and revised compliance, monitoring, and testing requirements. For new sources, CAA section 129(f)(1) requires that performance standards and other requirements shall be effective 6 months after the promulgation of the final rule. For these purposes, a new VSMWC or IWI unit with capacity less than or equal to 10 TPD is a unit that commenced construction after August 31, 2020, or commenced modification or reconstruction on or after December 29, 2025. We are finalizing, as proposed, that these new units must demonstrate compliance with the final rule by no later than December 29, 2025, or by the date the unit first begins operation, whichever is later.

For existing sources, CAA section 129(f)(2) provides that the performance standards and other requirements shall be effective not later than 3 years after the state plan is approved or July 1, 2030, whichever is earlier. For these purposes, an existing VSMWC or IWI unit with capacity less than or equal to 10 TPD is one for which construction commenced on or before August 31, 2020.

For existing VSMWC and IWI units with capacities less than or equal to 10 TPD, we are finalizing a compliance date of July 1, 2030, or 3 years after the effective date of the state plan approval, whichever is earlier.

OSWI units with a capacity less than 10 TPD that commenced construction after December 9, 2004, or commenced reconstruction or modification on or after June 16, 2006, and that are subject to the 2005 OSWI standard must continue to comply with the 2005 OSWI standard until the unit is subject to 40 CFR part 60, subpart FFFF through an approved state plan or Federal plan.

2. OSWI Units With Capacities Greater Than 10 TPD

Under the final rule, OSWI units with a capacity greater than 10 TPD continue, with limited changes, to be subject to the requirements of the OSWI standards that were promulgated in 2005—either the NSPS or a plan promulgated pursuant to the EG. With certain exceptions (discussed below), these sources will continue to follow the emission and operating limits, including compliance, monitoring, and testing provisions, associated with the 2005 OSWI standards. However, because the definition of a new source is being revised, the compliance dates are changing in the final rule. Emissions and operating limits apply to new OSWI units with a capacity greater than 10 TPD when they begin to operate, although there are some pre-construction requirements (see 40 CFR 60.2881). For existing OSWI units with a capacity greater than 10 TPD (that is, OSWI units that commenced construction on or before August 31, 2020, or commenced reconstruction or modification before December 29, 2025), CAA section 129(f)(2) provides that performance standards and other requirements shall be effective as expeditiously as practicable after approval of a state plan or promulgation of a Federal plan, but no later than 5 years after they are promulgated. Therefore, compliance for existing sources must be demonstrated by July 1, 2030, or 3 years after the effective date of the state plan approval, whichever is earlier. However, incineration units with a capacity greater than 10 TPD that commenced construction after December 9, 2004, or commenced reconstruction or modification on or after June 16, 2006, and that are subject to the 2005 OSWI standard must continue to comply with the 2005 standard until the unit is subject to 40 CFR part 60, subpart FFFF through an approved state plan or Federal plan.

IV. Public Comments and Responses

Additional comments and our specific responses can be found in the comment summary and response document titled *Summary of Public Comments and Responses for the Standards of Performance for New Stationary Sources and Emission Guidelines for Existing Sources: Other Solid Waste Incineration Units Review,* which is available in the docket (see Docket EPA–HQ–OAR–2003–0156) for this rulemaking. Key comments and responses are discussed below.

A. What key comments did we receive on the applicability of OSWI requirements, and what are our responses?

Comment: The EPA received several comments on the proposed revisions to add a definition of ''rudimentary combustion unit''. One commenter did not support the proposed addition of a definition, expressing concerns that prematurely changing the definition puts the EPA on track to develop regulations without appropriate data. The commenter requested that EPA conduct an advanced notice of proposed rulemaking to ask for additional data and work with and provide resources to Tribes to collect this data.

Other commenters supported the proposed changes, but at least one commenter recommended that the definition be simplified to provide ease of compliance. One commenter stated that the definition should include a ''non-exhaustive'' list of what units meet the definition of a rudimentary combustion device, such as cyclonic burn barrels, 55-gallon burn barrels, and locally obtained or manufactured burn receptables such as dumpsters.

The commenter also provided input on the individual criteria that EPA proposed as part of the definition. Specifically, commenters noted that the wording ''managing air flow and discharging flue gases from combustion'' is confusing. The commenters stated that in any combustion device, a stack, chimney or pipe is used to remove the post-combustion flue gases or to direct the exhaust gas to the atmosphere, and that the air flow (combustion air) is handled, controlled, and metered at the burden. Commenters therefore recommended that the text ''managing air flow'' be removed.

Commenters also questioned the meaning of the criterion ''burners designed to manage the combustion process''. Commenters stated that EPA's intent is unclear and that if the criterion is meant to include any devices that have burners or a specific type of burner (*e.g.,* burner with modulating or staging controls) then the language should be updated to ''designed to initiate and/or maintain or assist the combustion process'' or to more clearly explain the type of burner. Commenters also

questioned the meaning of ''supplemental fuel burners or nozzles'' as included in the proposed definition. Commenters stated that if the intent is to not include devices with a specific type of burner and ''supplemental fuel burners or nozzles'' or to exclude devices equipped with secondary combustion, this should be more plainly stated.

One commenter added that the proposed definition's inclusion of a capacity limit of ''less than or equal to 10 TPD that is designed and constructed without one or more of the following elements'' may inadvertently discourage businesses or villages from acquiring small modern packaged incinerators that are cleaner burning but that are equipped with all five elements. The commenter noted that rudimentary combustion devices will almost exclusively be hand-fed in portable (hand-carried) batches, and that 10 TPD of hand-held or delivered batches would be equivalent to 500 individual batches, daily.[14] The commenter stated that this amount exceeds the realistic expectations of the population statistics of the average village communities using such devices. The commenter suggested that the rationale of a specific number for capacity or throughput deserves additional consideration, especially in consideration of the recordkeeping requirements that would be required for compliance with weight throughput limitations (which would be excessive for remote areas and ineffective for most batch units). The commenter questioned what recordkeeping or reporting would be required to verify compliance, especially provided that these activities generally fall below permitting thresholds. The commenter suggested that the EPA may want to consider setting a volume limit threshold for these devices (*e.g.,* ''smaller than a dump truck''), or consider adding the qualifier ''uncompacted, loose'' to the type of trash that may be burned in such devices. Another commenter requested that EPA consider the potential unintended consequences of any future regulation of such devices. Specifically, the commenter stated that the EPA must not force communities with few resources to purchase commercially available combustion devices.

Other commenters criticized the proposed definition as overly broad and lacking in protective provisions, by not adequately narrowing the circumstances, locations, or devices that would be eligible. Commenters supported including restrictions to ensure that the use of such units is limited to those areas that truly have no better options, including very clear descriptions and specifics about the types of devices that are included in the definition of ''rudimentary combustion device'' and the criteria that must be met for a geographic area to qualify, so that only those with the logistical challenges described in the proposal will be eligible for the exemption. Other commenters expressed that the proposed rule did not define the circumstances or restrictions under which rudimentary combustion devices may be used and recommended that the EPA add a clarification to the definition to avoid use of the devices where access to municipal solid waste disposal is readily available or where installation of such devices could result in the circumvention of the OSWI standards. Commenters also objected to the proposed definition as it would apply in their jurisdiction, which prohibits open burning; the commenters warned the definition is confusing and could lead to an increase in air pollution.

Several commenters requested that the EPA provide more clarity on what geographic areas would be qualified to be exempt from the OSWI regulations. A commenter noted that Alaska is geographically diverse, with areas of limited or no road access, and that the EPA should clarify whether units in the following circumstances are exempt: (1) devices located in rural areas not accessible by the Federal Aid Highway System, including what distance from the road area is necessary for exemption; (2) devices transported and utilized by oil spill prevention and response teams in remote areas for response cleanup; (3) devices located in municipal areas at businesses or other commercial institutions that may have refuse service provided they are only used for on-site generated waste; and (4) devices located at industrial facilities along the Federal Aid Highway system that are days away from waste disposal facilities, including what distance from an organized landfill or from an improved road system qualifies for exemption. One commenter added the rule should ensure that use of a rudimentary combustion device would not be allowed when it conflicts with more stringent state or local rules and regulations. Other commenters generally opposed the broad applicability of the definition of rudimentary combustion unit throughout the U.S., recommending that the EPA adjust the definition to pertain specifically to Alaska, and take time to develop standards for the rest of the country.

One commenter also requested that the EPA consider providing clear rules related to the use of rudimentary combustion devices during emergency remote spill responses. The commenter explained that the waste from such spills is effectively managed through incineration in small batch cyclonic burn barrels or other devices. The commenter requested that any rules on such usage be easy to interpret such that they do not require EPA agency interpretation or concurrence prior to use (including any limitations on the type of device that is a ''rudimentary combustion device'' or any limitations on geographic siting requirements). The commenter stated that if EPA concurrence remains necessary during an emergency spill, the authority should be granted to EPA Federal On-Scene Coordinators regardless of the disaster classification of the response.

Response: In the final rule, we are adopting a definition of ''rudimentary combustion device'' to be a combustion device with a capacity less than or equal to 10 TPD that is designed and constructed without one or more of the following elements: (1) a stack, chimney, or pipe designed for the purpose of discharging flue gases from combustion; (2) mechanical draft to provide air flow; (3) burners designed to initiate and/or assist the combustion process, including burners designed to burn supplementary fuel; or (4) an ancillary power supply to operate.

For the final rule, we have revised the applicability of the final OSWI standards as proposed in the 2024 SNPRM to address issues and concerns raised for small units that are rudimentary combustion devices. The EPA is finalizing its decision to add a definition for ''rudimentary combustion device'' to distinguish these types of primitive devices from those addressed in today's rule. The EPA agrees with commenters regarding certain clarifications to the criteria included in the proposed definition, specifically, removal of text related to the use of a stack for ''managing air flow'' and the clarification of text describing the type of burners included in the criterion. The EPA is removing the phrase ''managing air flow'' to reduce confusion regarding the stack function. We are also clarifying the criterion regarding burners to manage the combustion process. We are adopting language similar to what commenters suggested to indicate that we mean burners that

[14] Per 40 CFR 60.2977 (Subpart EEEE) and 40 CFR 60.3078 (Subpart FFFF), a batch OSWI unit means an OSWI unit that is designed such that neither waste charging nor ash removal can occur during combustion, and a continuous OSWI unit means an OSWI unit that is designed to allow waste charging and ash removal during combustion.

initiate and/or assist with combustion. In light of this clarification, we have also lumped supplementary fuel burners in with other burners that mangage the combustion process, as the purpose of supplementary fuel is to initate combustion or to aid in better combustion.

We disagree with commenters who requested a specific list of unit types that are considered rudimentary combustion devices, but rather, acknowledge that a number of combustion unit types may be considered ''rudimentary'' if they have a capacity of less than 10 TPD and were designed or constructed without one of more of the defined criterion. As described in the 2024 SNPRM, the EPA identified rudimentary combustion devices as primarily located within the state of Alaska, and consulted with state and Tribal agencies in the state of Alaska in assessing the types of combustion devices referenced. We determined that these rudimentary devices are often primitive in nature, most often not commercially constructed or engineered, and have capacities less than 10 TPD. Although we solicited comment on the matter, we did not receive any comments on the 2024 SNPRM that provided additional information or data on the typical capacity or volume thresholds for these units, and as such, are maintaining the proposed capacity threshold of 10 TPD; this threshold remains appropriate as we anticipate that all rudimentary combustion devices that fail to include the design elements included in the definition, by their nature and construction, would have capacities less than 10 TPD. We emphasize that the final rule does not set standards for these rudimentary combustion devices because they lack key features of commercially available incineration units and the emissions information, limits, and controls developed for the OSWI rule are not appropriate for them. The EPA is therefore not setting emission standards for these units in this rule.

Although we solicited comment on the location of units, number of units in rural communities, and emissions information from these units in the 2024 SNPRM, we did not receive any additional information in response to the 2024 SNPRM. The Agency intends to consider requirements for these units in a future effort and would seek additional information regarding these units and the impacts of any regulations at that time. Because we received no information in response to our 2024 SNPRM solicition, the EPA is also not setting requirements or restrictions regarding the geographic location or circumstantial restrictions on the use of rudimentary combustion devices under the OSWI standards; the definition of rudimentary combustion device in the final OSWI rules applies to the entire United States. The final rules do not usurp existing local or state regulations that may apply to these units, which will continue to apply.

Comment: We received one comment contending that the proposal fails to set CAA section 129 standards for previously excluded units and therefore contravenes the CAA and violates the EPA's obligations under a consent decree and pursuant to the voluntary remand. The commenter stated that the proposed regulations expressly exempt or exclude a wide variety of other waste combustion units, including: (1) solid waste-burning cement kilns; (2) various waste-burning boilers and process heaters; (3) residential incinerators; (4) agricultural waste incinerators; (5) wood waste incinerators; (6) construction and demolition waste incinerators; (7) crematories; (8) contaminated soil treatment facilities; (9) rural IWIs; (10) incinerators and ACIs in isolated areas of Alaska; (11) incinerators located on remote islands; (12) temporary use incinerators used in disaster or emergency recovery efforts; (13) units that combust contraband or prohibited goods; (14) units burning national security documents; (15) co-fired combustors; (16) institutional boilers and process heaters; and (17) pathological waste incineration units. The commenter added that all of the categories identified combust solid waste and none of them fall within the narrow exemption of CAA section 129(g).

The commenter generally contends that, under CAA section 129, the EPA must set standards for all solid waste incineration units, without exception. The commenter further contends that, under CAA section 129, the OSWI rule must set standards for all ''other'' incinerators, that is, all incinerators not already subject to regulation under the EPA's MWC rules, medical waste incinerator rules, or CISWI rules.

The commenter refers to a ''Partial Consent Decree'' entered in *Sierra Club* v. *Jackson,* No. 01–1537 (PLF) (D.D.C.), under which the EPA was to propose, by November 30, 2004, a rule establishing standards for OSWI units and to promulgate, by November 30, 2005, a final rule establishing such standards. The commenter contends that the EPA's failure to set standards for various excluded types of combustion units violates its obligations under that Partial Consent Decree.

The commenter also asserts that the EPA sought and obtained, in 2016, a ''voluntary remand'' of the OSWI standards from the court (*Sierra Club* v. *EPA,* No. 06–1066 (D.C. Cir.)). The commenter states that the EPA sought the voluntary remand to bring the OSWI standards into compliance with certain decisions issued by the D.C. Circuit. The commenter contends that the EPA's failure to set standards for the excluded types of combustion units identified by the commenter (*i.e.,* solid waste-burning cement kilns; various waste-burning boilers and process heaters; residential incinerators; agricultural waste incinerators; pathological waste incineration units, etc.) violates its obligations pursuant to the voluntary remand.

The commenter further claims that the EPA's failure to set standards for currently unregulated incinerators fails to satisfy CAA section 129(a)(5). The commenter cited *Louisiana Environmental Action Network* v. *EPA,* 955 F.3d 1088 (D.C. Cir. 2020) (*LEAN*), and maintained that the EPA is required, in the course of a CAA section 129(a)(5) rulemaking, to bring its OSWI standards into compliance with the CAA and that the EPA's failure to set standards for all OSWI units, including the excluded incinerators, in the course of its CAA section 129(a)(5) rulemaking, violates that section.

The commenter further cited *NRDC* v. *EPA,* 489 F.3d 1250 (D.C. Cir. 2007), in which, the commenter said, the D.C. Circuit made clear that institutional waste incinerators that recover energy are combusting solid waste and must be regulated as incinerators under CAA section 129. The commenter added that the *NRDC* ruling holds that any unit that combusts waste is an incinerator, whether it recovers energy or not. The commenter stated that EPA sought and obtained a voluntary remand allegedly to address the aspects of its rule that are inconsistent with *NRDC*. The commenter added that EPA's failure to change its definition of institutional waste incinerator to include units that recover energy is flatly unlawful and displays contempt for the Clean Air Act and the courts and bad faith in implementation of the unopposed remand.

Response: As the commenter recognizes, we proposed the definition of ''other solid waste incineration unit'' on the 2004 proposal for the OSWI standards to cover very small municipal waste combution units and institutional waste incineration units but proposed to exclude certain types of other units (see 69 FR 71472, December 9, 2004). In response to the 2004 proposal for the

OSWI standards, the EPA received comments concerning the proposal to exclude various units from the OSWI standards, and the EPA addressed comments on both covered and excluded units at that time (70 FR 74870, 74874–74881; December 16, 2005). The EPA was challenged on the 2005 OSWI rule (*Sierra Club* v. *EPA,* No. 06–1066, (D.C. Cir.)), which eventually led to the 2016 voluntary remand of the 2005 OSWI rule.

The EPA disagrees with the assertion that the EPA failed to satsify its obligations under the Partial Consent Decree entered in *Sierra Club* v. *Jackson,* No. 01–1537 (PLF) (D.D.C.). Under the Partial Consent Decree, the EPA was required to issue a final rulemaking establishing standards for OSWI units under CAA section 129(a)(1)(E) on or before November 30, 2005. The Partial Consent Decree contained no requirmenets regarding the content of the regulation. The EPA satisfied this obligation by signing the final rulemaking titled, ''Standards of Performance for New Stationary Sources and Emission Guidelines for Existing Sources: Other Solid Waste Incineration Units'' on November 30, 2005. 79 FR 74870.

The EPA disagrees that *NRDC* v. *EPA,* 489 F.3d 1250 (D.C. Cir. 2007), requires the EPA to set emissions standards for all OSWI units, ''without exception.'' Rather, *NRDC* focused on whether the EPA could determine that certain facilities that were combusting solid waste could be regulated under CAA section 112, rather than CAA section 129. The *NRDC* decision held that the statutory definition of ''solid waste incineration unit'' is clear and unambiguous and does not permit the EPA to exclude commercial and industrial units combusting solid waste from regulation under CAA section 129. However, the *NRDC* decision does not address whether the EPA is required to establish emissions standards for *all* ''other categories'' of solid waste incineration units, as opposed to commercial or industrial incinerators, which are categories Congress clearly required to be regulated. EPA is continuing to assess the the *NRDC* decision, which vacated the EPA's definition of ''commercial or industrial solid waste incineration unit'' because it excluded some units combusting solid waste for the purpose of energy recovery, but has not yet proposed to take action following remand on whether the language in section 129(a)(1)(E) requires requires regulation of ''every [ ] possible type of incinceration unit burning any type of solid waste.'' *See* 70 FR at 74875.

We further disagree with the commenter's contention that the EPA is required, in the course of a periodic review of the OSWI standards under CAA section 129(a)(5), to set standards for all solid waste incinerators that are not already regulated under the rules for municipal waste incinerators; hospital, medical or infectious waste incinerators; or commercial or industrial waste incinerators. The *LEAN* (955 F.3d 1088 (D.C. Cir. 2020)) decision considered standards set under CAA section 112(d)(6). CAA section 112(d)(6) applies to ''emission standards promulgated under [section 112].'' CAA section 129 applies to a specific category of sources: non-hazardous solid waste incinerators. In CAA section 129, Congress itself designated the source categories to be regulated. CAA section 112, on the other hand, delegates to the Administrator the authority to identify source categories to regulate and to set emission standards for them, CAA sections 112(c) through (d). By contrast, in CAA section 129, Congress specifies sources that the EPA must regulate:

- ''[S]olid waste incineration units with capacity greater than 250 [TPD] combusting *municipal waste.*'' (Italics added.)
- ''[S]olid waste incineration units with capacity equal to or less than 250 [TPD] combusting *municipal waste* and units combusting *hospital waste, medical waste and infectious waste.*'' (Italics added.)
- ''[S]olid waste incineration units combusting *commercial or industrial waste.*'' (Italics added.)

However, Congress left ''the promulgation of standards under section 7411 of this title and this section applicable to other categories of solid waste incineration units'' (CAA section 112(a)(1)(e)) up to the Administrator's discretion.

CAA section 112(d)(6), the section of the CAA considered in *LEAN,* requires a periodic review (every 8 years) of standards promulgated under CAA section 112. *LEAN* did not discuss nor make any decisions concerning the scope or nature of the EPA's periodic review under CAA section 129(a)(5). The discussion in *LEAN* focused on the precise language in CAA section 112(d)(6), which differs from the language of CAA section 129(a)(5). Specifically, CAA section 112(d)(6) requires that the EPA periodically ''review, and revise as necessary'' CAA section 112 emission standards. CAA section 129(a)(5) requires that the EPA ''review, and in accordance with this section and section [111] of this title, revise'' the CAA section 129 standards and requirements. The language within CAA section 129(a)(5) does not otherwise cross-reference CAA section 112. Further, the ''as necessary'' language in CAA section 112(d)(6) (which is not found in CAA section 129(a)(5)) was key to the decision in *LEAN.* The decision notes, for example, that the ''only question'' was ''whether the EPA lawfully may complete a section 112(d)(6) review and 'revise' an existing underinclusive emission standard 'as necessary' without supplying the missing controls.'' 955 F.3d at 1096.

The commenter claims that the language of CAA section 129(a)(5) is ''closely analogous'' to CAA section 112(d)(6), and therefore imposes the same obligation the *LEAN* court found. The EPA disagrees. The two key features of the statutory language the *LEAN* court pointed to in CAA section 112(d) are not at issue here. The court first noted that the ''standards'' referred to in CAA section 112(d)(6) must include limits for each HAP the category emits, and an ''emission standard'' under that provision ''includes as many limits as needed to control all the emitted air toxics of a particular source category.'' *LEAN* at 1097. In contrast, CAA section 129 requires the EPA to establish emissions standards only for certain, specified pollutants. Even if ''emission standard'' as used in CAA section 129(a)(5) refers to all limits, the EPA has established those limits for the specified CAA section 129 pollutants.

The commenter also claims that the EPA's failure to propose, here, to eliminate the various excluded units in 40 CFR 60.2887 and 40 CFR 60.2993 and as identified by the commenter (*i.e.,* solid waste-burning cement kilns; various waste-burning boilers and process heaters; residential incinerators; agricultural waste incinerators; pathological waste incineration units, etc.) from the OSWI standards and expand the applicability or coverage of the standards fails to satisfy the terms of the voluntary remand granted by the D.C. Circuit in 2016. The EPA sought and obtained a voluntary remand of the 2005 OSWI rule ''to allow the EPA to consider what potential revisions, if any to the final rule may be appropriate in light of relevant decisions including *Sierra Club* v. *EPA,* 479 F.3d 875 (D.C. Cir. 2007), *NRDC* v. *EPA,* 489 F.3d 1250 (D.C. Cir. 2007), and *Sierra Club* v. *EPA,* 551 F.3d 1019 (D.C. Cir. 2008).'' [15] As explained in the 2020 proposal and above, this final action addresses certain issues involved in the 2016 voluntary remand of the OSWI standards

[15] Motion for Voluntary Remand, *Sierra Club* v. *EPA,* no. 06–1066 (D.C. Cir. filed Jan. 29, 2016).

including changes to the SSM provisions and revised subcategories and MACT standards that better reflect actual emissions test data from OSWI units and the population of OSWI. The EPA is continuing to evaluate other aspects of the remand not addressed in this final action.

For the final rule, we have revised the applicability of the final OSWI standards to address issues and concerns raised for units that are rudimentary combustion devices. As discussed in section III.B and above in this section IV.A of this preamble, the EPA is finalizing adding a definition for ''rudimentary combustion device'' to address certain combustion devices that lack key elements typical of incineration units. Because the EPA believes that rudimentary combustion units lack key elements of other OSWI incineration units, the emissions information, limits, and controls developed for the OSWI rule are not appropriate for them. Any limits that the EPA may set for rudimentary combustion units in the future would be based on information and data that are appropriate for those units.

Comment: One commenter requested that the EPA clarify the applicability of the CISWI standards and the OSWI standards, asserting that as proposed, the same units that meet the definition of a ''small OSWI unit'' in the OSWI standards also meet the definition of a ''commercial and industrial solid waste incineration unit'' under the CISWI standard. The commenters stated that this potential confusion is not entirely eliminated by 40 CFR 60.2020(j) and 60.2555(j) of the CISWI rules that state that units subject to 40 CFR part 60, subparts EEEE or FFFF are exempt from the CISWI standards or by 40 CFR 60.2887(d) and 60.2993(d) in the OSWI rules that state units subject to 40 CFR part 60, subparts CCCC and DDDD are exempt from the OSWI standards. The commenter specifically urged the inclusion of a new paragraph in 40 CFR 60.2887 and 40 CFR 60.2993 of the OSWI rules that states: ''Incinerators in Alaska that meet the definition of small OSWI unit under subparts EEEE and FFFF of this part are not subject to subparts CCCC or DDDD.''

Response: We agree with commenters that clarification regarding the applicability of CISWI to certain units located in the State of Alaska that are now subject to OSWI is warranted. However, the commenter's proposed language to add an exclusion for units subject to 40 CFR part 60, subparts EEEE and FFFF from CISWI is inappropriate for OSWI. Instead, we are finalizing revisions to the CISWI NSPS and EG that clarify the applicability of the standards to small remote incinerators that may now be subject to the OSWI standards, specifically the standards for VSMWC. In 2024, the EPA finalized development of a Federal plan implementing the CISWI standards in states that do not have an approved state plan (89 FR 100092, December 11, 2024). The final rule included revisions to exclude small remote incinerators in the state of Alaska from the Federal plan, which reflected prohibitions on the implementation of CISWI standards to units in the State of Alaska that were implemented by Congress.[16] To address the concerns raised by commenters and to align the CISWI NSPS and EG with the CISWI Federal plan, we are finalizing a similar amendment to the CISWI NSPS and EG requirements at 40 CFR 60.2020 and 40 CFR 60.2555 to clarify that small remote incineration units located in the State of Alaska are not subject to the CISWI standards as specified in the Consolidated Appropriations Act of 2024, H.R. 4366, section 432. However, because existing units would not be subject to the control requirements in the OSWI standards until they become subject to a state plan or Federal plan that implements 40 CFR part 60, subpart FFFF, we have included language within the exclusion to clarify that such units remain subject to 40 CFR part 60, subparts CCCC or DDDD until the unit becomes subject to a state plan or Federal plan that implements 40 CFR part 60, subpart FFFF. The changes are consistent with final revisions to 40 CFR 60.2886(a)(5) and 40 CFR 60.2992(a)(3) to clarify the applicability dates for OSWI units, as discussed in section IV.D of this preamble.

B. What key comments did we receive on the OSWI subcategories and related MACT floor redeterminations?

Comment: One commenter contended that EPA has no authority to create subcategories for Section 129 standards, and therefore, cannot create subcategories in OSWI for units with capacities greater than 10 TPD and units with capacities less than 10 TPD. The commenter asserted that while Section 112 allows EPA to ''distinguish among classes, types, and sizes of sources within a category or subcategory in establishing such standards,'' Section 129 does not have similar language. The commenter added that Section 129 shows that Congress considered which subcategories of incinerator it wanted, and that Congress created them itself. The commenter stated that by creating additional subcategories, EPA not only exceeds its statutory authority but defies Congress's plainly expressed intent that the only subcategories of incinerator would be those Congress expressly enumerated in Section 129(a)(1). The commenter added that EPA's failure to identify any statutory authority for its subcategories or to explain why it believes it has such authority is unreasonable and arbitrary.

Response: CAA section 129(a)(2) states that ''The Administrator may distinguish among classes, types (including mass-burn, refuse-derived fuel, modular and other types of units), and sizes of units within a category in establishing such standards.'' We interpret this language as allowing us to develop subcategories for source categories being regulated. Further, the EPA has cited this statutory authority for other CAA section 129 subparts. The 1999 proposed CISWI rules clearly state ''Categories may be divided into subcategories when differences (such as design, fuel, or waste type, etc.) between given types of units lead to corresponding differences in the technical feasibility of applying emission control techniques'' (64 FR 67097, November 30, 1999) and the 1995 HMIWI standards state, ''Section 129 states that the Administrator may distinguish among classes, types, and sizes of units within a category in establishing the standards and guidelines. In other words, EPA may subcategorize the MWI source category in establishing standards and guidelines'' (65 FR 10669–70, February 27, 1995). Therefore, we are establishing subcategories for OSWI (IWI and VSMWC) as proposed based on size—including units that have capacities greater than 10 TPD and units that have capacities less than or equal to 10 TPD. Our decision to finalize subcategories for IWI and VSMWC OSWI is further discussed in section III.C and this section of this preamble.

Comment: One commenter contended that the EPA does not have sufficient data on smaller units of less than or equal to 10 TPD to establish emission limits and other requirements. Consequently, the commenters stated that it is likely that requirements for larger units will be unnecessarily placed on smaller units. Another commenter explained that comparisons of emission

[16] As specified in the Consolidated Appropriations Act of 2024, H.R. 4366, section 432, the EPA is precluded from ''expending funds to implement or enforce certain EPA regulations for commercial and industrial solid waste incineration units with respect to units in the state of Alaska that are defined as small remote incinerator until a subsequent regulation is issued.'' Consolidated Appropriations Act, 2024. Public Law 118–42 (2024, March 8). *https://www.congress.gov/bill/118th-congress/house-bill/4366/text.* See also 89 FR 100097, December 11, 2024.

limits shown in the proposed rule to the emissions from the smaller units under than 3 TPD are well below the emissions for larger incinerators for a number of pollutants. The commenter specifically compared the particulate matter and cadmium emissions limits for new small OSWI units to the emission limits for SRIs under table 8 of the CISWI rule, noting that the emissions limits for new small OSWI units for these pollutants are below the corresponding CISWI limits, and other limits for these units, including hydrogen chloride and NO_X, are very close to the SRI limits in the CISWI rule. Commenters added that the proposed rule subjects incinerators with capacity less than 3 ton per day to the same requirements even if the emission profiles do not seem to justify the requirements to perform enhanced control measures (such as wet scrubbers and baghouses). These commenters included additional concerns related to the requirements to install pollution controls such as wet scrubbers for SRIs in Alaska, which they countered would only burden small operations and small businesses. The commenters requested that EPA exempt small Alaska incinerators with an operational capacity of less than or equal to 3 TPD from the final rules. One commenter suggested that EPA create a third subcategory of units that have capacities less than or equal to 3 TPD and these units should be excluded if they incinerate greater than 30 percent MSW and are not regulated under the CISWI rule. Another commenter stated that if EPA is going to regulate units with capacities less than or equal to 3 TPD, it must collect additional information from the small incinerator manufacturers and establish MACT floor emission limits that are achievable.

Other commenters supported the regulation of small remote incineration units under the OSWI standard, acknowledging that the emission limits for small OSWI units developed in the 2020 Proposed Rule were developed specifically based on test data from the Alaskan SRI units, and in many cases, these units are unable to comply with the emission limits for existing units under CISWI. These commenters generally supported the creation of a subcategory for smaller OSWI units but requested additional modifications and clarifications to the subcategory. One commenter requested that EPA reconsider defining the subcategory for small OSWI units based on the ''capacity'' of units less than 10 tons of solid waste per day. The commenter pointed to the prior subcategory for SRI units promulgated under CISWI, which is for incineration units ''that combust 3 tons or less of solid waste per day''. The commenter stated that it is unlikely that any SRI (as included in the proposed emission limits) has the physical capacity to burn 10 TPD, or that even any facility operating an SRI has the capacity to generate 10 TPD of waste for incineration. The commenter pointed to at least one SRI unit located at the ConocoPhillips Kuparuk facility that has a manufacturer-listed capacity of over 10 TPD, however, the commenter asserted that it does not reflect the actual or practical capacity to combust solid waste because the manufacturer-listed capacity includes the weight of the incinerated material, the weight of the fuel used for combustion, the weight of air combusted, and the weight of any moisture in the unit. The commenter added that, in that case, the manufacturer-listed ''capacity'' is not strictly limited to the capacity to incinerate solid waste and is greater than its capacity for waste. The commenter added that it is ''pragmatically impossible'' for the Kuparak unit to combust 10 tons of solid waste per day, and that this capacity could not be reached even if the incinerator usage was maximized to two consecutive 12-hour shifts; the commenter provided that on average, the unit burns about 1.25 TPD and has never exceeded 3 TPD despite the manufacturer's listed capacity. The commenter requested that EPA clarify that the 10 ton per day capacity language used to differentiate the small OSWI subcategory reflects a practical or operational ''capacity'' to incinerate waste and not a manufacturer listed capacity that may reflect non-waste fuel, air, and moisture. The commenter asked EPA to change the size threshold to reflect the amount of solid waste the unit combusts. The commenter added that defining the subcategory on the amount of solid waste combusted, as was done in the CISWI rule, is a better approach.

Response: Regarding the comments that EPA should set the capacity for small OSWI units considering the capacity of SRI units currently regulated under CISWI, we disagree. As we described in the proposal, the EPA has sufficient data from several small remote incinerators from testing conducted in both 2010 and 2014 to calculate emission limits using the same statistical intervals used to calculate the CISWI SRI emission limits (see 85 FR 54185).[17] We collected test data from 29 units of this size and proposed calculated emissions limits at the level of the MACT floor which we have determined are representative for VSMWC and IWI units with capacities less than or equal to 10 TPD in the OSWI source category.[18] The emission limits applicable to these units already consider their size, since they are based on test data and design information gathered from units of similar size. For these reasons, we disagree with the request that the EPA categorically exempt or create a separate subcategory for small Alaska incinerators with an operational capacity of less than or equal to 3 TPD under the OSWI rules.

Regarding the comment asking that the EPA clarify that the 10 ton per day ''capacity'' language reflects a practical or operational ''capacity'' to incinerate solid waste, not a manufacturer listed capacity, we generally disagree with the comment and believe the rules are clear as written. When determining a unit's capacity in the context of the OSWI rules, the owner or operator must use the ''design capacity'' of the unit calculated using the equations in the regulations. (See 40 CFR 60.2975) The ''capacity'' of continuous and batch [19] VSMWC units is defined in the rules—this contrasts with emissions-based thresholds *e.g.,* for prevention of significant deterioration (PSD) applicability which considers enforceable physical or operational constraints. While the OSWI rules sometimes refer to the ''maximum design waste burning capacity'' (see, *e.g.,* 40 CFR 60.2953 and table 4), this phrase is also intended to describe the design ''capacity'' of OSWI units, with respect to the maximum design amount of municipal solid waste or refused-derived fuel that may be charged (not including air or moisture content or non-waste fuels). We believe the design capacity is the most appropriate basis for subcategorization under OSWI. Any other basis, such as operational load,

[17] See Docket Item No. EPA–HQ–OAR–2003–0156–0138 and the memorandum entitled *Small Remote Incinerator (SRI) Emissions Data From CISWI* in the docket for this action for more discussion on data collected from small remote incinerators.

[18] For more information about emission limit calculations, see *Emission Limit Calculations for Existing and New Sources for the Final Other Solid Waste Incinerator (OSWI) Rulemkaing,* available in the docket for this action (Docket ID No. EPA–HQ–OAR–2003–0156).

[19] Per 40 CFR 60.2977 (Subpart EEEE) and 40 CFR 60.3078 (Subpart FFFF), a batch OSWI unit means an OSWI unit that is designed such that neither waste charging nor ash removal can occur during combustion, and a continuous OSWI unit means an OSWI unit that is designed to allow waste charging and ash removal during combustion.

would likely be variable depending on operating conditions and could therefore result in confusion about which standards are applicable to the unit at which time. For this reason, the commenter's suggestion that the subcategories be based on practical capacity to incinerate waste is not feasible. Using design capacity, *e.g.,* is consistent with the requirements in 40 CFR, part 60, subpart AAAA, 40 CFR 60.1460(d) and (e), which cover small municipal waste combustion units. We recognize that in two situations, for exempting small municipal waste combustion units that combust less than 11 TPD and for certain co-fired combustors with a fuel limitation, 40 CFR part 60, subpart AAAA allows federally enforceable permitting limits. We created the OSWI subcategories for VSMWC and IWI units with capacities less than or equal to 10 TPD due to differences in operation (*e.g.,* batch versus continuous/semi-continuous feed), equipment complexity and whether emissions that are routed to a stack or flue could be routed to air pollution control devices for these units. Additional discussion on the final subcategories are in section III.C. of this preamble and in the preamble to the proposed rule (85 FR 54183). An OSWI unit with a capacity greater than 10 TPD may not comply with emission limits and compliance requirements for units with capacities less than or equal to 10 TPD, and consequently, the final rule does not provide for consideration of operational restrictions on the ''capacity'' of OSWI units to avoid compliance requirements designed for such units. As such, commenters are also incorrect that the rule subjects OSWI units with capacities less than or equal to 10 TPD to the same requirements for enhanced control measures (*i.e.,* wet scrubbers and baghouses) to meet emissions limits as those required for large units. In our analysis of the MACT floor for VSMWC and IWI units with capacities less than or equal to 10 TPD, we used data obtained from operating units with capacities less than or equal to 10 TPD and have assumed that additional units in these subcategories, should they exist, would be similar in design, uncontrolled, and burn similar MSW-type waste as those units reflected in the SRI dataset. Based on the data, we believe that any VSMWC and IWI units with capacities less than or equal to 10 TPD would not require additional controls to meet the proposed standards that are being finalized. We add that for the final rule we have also revised the applicability of the final OSWI standards to address issues and concerns raised for certain units with capacities less than or equal to 10 TPD that may be considered rudimentary combustion devices, as explained in sections III.B and IV.A of this preamble.

Comment: A commenter stated that EPA's decision to subcategorize OSWI units greatly weakens the standards for the newly created small OSWI subcategory, contravenes CAA section 129's floor provisions, and is arbitrary. The commenter stated that some of or all these units—certainly the best performing ones, those with the lowest emissions—have already been meeting the EPA's existing standards consistently for years. The commenter added that the average emission level achieved by these units therefore cannot possibly be worse than the existing CISWI standards. The commenter concluded that the floors cannot be worse than the existing standards.

Response: We explained in the preamble to the proposed rule that the prior floors were not based on OSWI units but on HMIWI units (85 FR 54183) and the SRI emissions test data used to calculate the emission limits for the VSMWC and IWI with capacities less than or equal to 10 TPD subcategories are more representative of and better reflect the emissions achievable for new and existing units in each category required under CAA sections 129(a)(2) and (4). The standards are based on the level of the MACT floor calculated using the SRI emission data but are not identical to the CISWI standards because updated data and procedures were used in the OSWI calculation.[20] While the EPA does not update MACT floors to be less stringent than existing limits for the same subcategory based on the 5-year review process, the emission limits for the VSMWC and IWI with capacities less than or equal to 10 TPD represent newly established subcategories. It is not appropriate to compare the stringency of standards between rules or subcategories. This means that neither the current CISWI standards nor the OSWI standards for units with capacities greater than 10 TPD are appropriate points of comparison for the new MACT floors.

[20] For more information on the SRI data, see Document ID No. EPA–HQ–OAR–2003–0156–0138. For more information about the MACT floor calculation, see the memorandum *Emission Limit Calculations for Existing and New Sources for the Final Other Solid Waste Incinerator (OSWI) Rulemaking* available in the docket for this action (Docket ID No. EPA–HQ–OAR–2003–0156).

C. What key comments did we receive on other amendments, and what are our responses?

1. Testing and Compliance

Comment: We received one comment related to the proposed 12-month deadline for annual compliance tests. The commenters stated the proposed 12-month deadline at 40 CFR 60.2933 and 40 CFR 60.3034 creates potential compliance problems over time for SRI operators in Alaska. The commenters explained that testing on SRI units is more difficult than on typical units, and the window for testing SRI units is constrained by weather and may be impracticable during the long North Slope winter season. The commenters stated the proposed 12-month window creates issues of compliance date ''creep'' when operators seeking to submit data reasonably in advance of the EPA deadlines (*e.g.,* one week early to ensure timely delivery), inadvertently and progressively push the testing deadline earlier and earlier into the calendar year, potentially into problematic testing periods for SRI units. The commenters requested that the EPA set the annual compliance testing deadline at 14 months, to allow operators flexibility to keep testing in optimal weather windows over time. The commenters added that this is consistent with the EPA practice for other rules and referenced 40 CFR 60.4415(a).

Response: We agree with the commenters' assertions that, for some OSWI units, seasonal weather issues may not allow testing within exact 12-month intervals. To address this concern, the final rule requires that annual performance tests be conducted no later than 14 months following the initial performance test and subsequent annual performance tests must be conducted within 14 months following the previous performance test.

Comment: We received two comments supporting the proposed alternative means to demonstrate compliance for VSMWC and IWI units with capacities less than or equal to 10 TPD, but the commenters contested that the proposed parameters (plus or minus 15 percent and on a weekly basis) are too narrowly constrained. The commenters explained that MSW mass generated by camp operations has the potential of being highly variable by the nature of its span of contents including paper, wood, yard wastes, food wastes, plastics, leather, rubber, and other combustible materials. The commenters stated that managing mass may be technically difficult for batch incinerators, as finite chamber volume limits mass manipulation. The

commenters further stated that managing mass also could be affected by short-duration projects that could cause food waste and other combustible materials to flux at sites using continuous, intermittent, or batch incinerators or where the incinerator is operated infrequently (*e.g.,* an incinerator operated only bi-weekly). The commenters provided two examples of occasions when the weight ratio of incinerated waste can be temporarily skewed. One example the commenters provided is during facility ''turnaround'' periods when all meals are eaten on disposable trays that have a very low weight-to-volume ratio, which can temporarily skew the weight ratio of incineration units. The commenters explained that some operators typically burn wooden pallets at the bottom of their incinerators to facilitate the most efficient operation of the unit, and that during turnaround where there is a high volume of disposal trays, the weight of the pallets overshadows the light-weight disposable trays, likely skewing the solid waste composition outside the plus or minus 15 percent composition by weight requirement on a weekly basis. Commenters also provided a second example: an occasion when the weight ratio can be temporarily skewed during carcass incineration, which is required on occasion by state permits to dispose of an animal carcass to prevent health and safety concerns. The commenters explained that disposal of a caribou carcass that can average 350 to 400 pounds can also skew the weight ratio in the short term. The commenters suggested setting the plus or minus 15 percent weight requirement on a calendar-quarterly, rather than weekly, basis. The commenters pointed to CISWI as an example where tracking and averaging waste streams is accounted for on a calendar-quarter basis and requested that the EPA continue this approach. Although the commenters generally preferred this suggested approach, the commenters also suggested an alternative of setting the weekly obligation at plus or minus 30 percent rather than plus or minus 15 percent. The commenters also suggested the rule should include language that prevents units that are operated only seasonally from triggering the deviation and testing upon restarting after a period of being down.

One commenter requested that the previously submitted data for SRI units in Alaska can and should be used to demonstrate initial compliance or used as representative testing results for inclusion in the WebFIRE database.

Response: We are finalizing, as proposed, an option for using a ''representative'' initial compliance demonstration. We disagree with the commenters that 15 percent variability is insufficient or too narrowly constrained. The waste profile variability for a VSMWC or IWI unit with capacity less than or equal to 10 TPD will be based on the waste profile used in the unit's initial compliance test, or, for owners and operators who use the SMCD demonstrating initial compliance, the waste profile used in the chosen representative test. VSMWC and IWI units with capacities less than or equal to 10 TPD that have highly variable waste streams will account for that variability in their initial compliance tests or, if the owner or operator is using the SMCD demonstrating initial compliance, by choosing a representative test with a similarly variable waste stream. Based on information currently available, the EPA anticipates that allowing greater than 15 percent variability in a waste stream after a unit's initial compliance demonstration would not provide a sufficient means of demonstrating compliance on a continuous basis because it would not be representative of the conditions established during the compliance test. As such, it would not be possible to provide assurance that the unit continuously complies with the emission standards. Provided the facility has conducted or selected a representative performance test, the facility should be able to demonstrate compliance by assuring that the wastes combusted do not exceed 15 percent variability.

However, we also acknowledge that some OSWI units may be needed to dispose of unexpected and unplanned animal carcasses in remote areas. In such cases, the carcasses would skew the waste profile. To address this concern, we have revised the final rule to allow the percentage of waste burned for each waste category to be calculated on a quarterly average instead of weekly average.

We encourage owners and operators who elect to use the SMCD to identify their waste variability and waste characterization data as soon as possible so that representative waste profiles are tested in a timely manner. Owners and operators of VSMWC or IWI units with capacities less than or equal to 10 TPD who have not previously submitted testing data meeting the requirements of the rule in the development of the final standards will have to submit detailed information about their units and identify a representative performance test in the EPA's WebFIRE database. As noted in the preamble to the proposed rule (85 FR 54190), the representative performance tests must have been conducted according to the requirements in the OSWI rule, demonstrate compliance with the OSWI standards, and include the following information in the report: unit design (including air pollution control devices), charge rate during the test, type of operation, combustion temperature during the test, types of waste burned during the test and the relative amount of each waste to the total waste burned, type and amount of supplemental fuels used during the test, and, if the tested unit has an air pollution control device, the operating parameter data for the control device during the test. We understand that the units the commenters are referring to have conducted prior tests. However, if a test in question does not include all of the information needed to meet the requirements for the representative performance test in the rule, that test cannot be used as a representative performance tests for other OSWI units and will not be made available in WebFIRE. However, the owners or operators of these units can contact the Administrator under the General Provisions (see 40 CFR 60.8), to determine whether the prior tests conducted on the unit are acceptable to demonstrate compliance with requirements of the OSWI rule.

2. Recordkeeping and Reporting

Comment: Commenters stated that the requirements at 40 CFR 60.2956(j) and 40 CFR 60.3051(j) to report the start date, start time, and duration in hours for each period when all qualified OSWI unit operators were unavailable for more than 12 hours, but less than 2 weeks, appear to contemplate that an OSWI unit is under continuous operation. The commenters further stated that is not the case for many SRI units and stated that some SRI units are operated only seasonally, while other units may be shut down for days or weeks at a time for maintenance or other reasons. The commenters added that during those non-operational times, there may not be a qualified OSWI unit operator available onsite. To avoid unnecessary reporting, the commenters request that the reporting requirement be modified to require reporting for each period ''of operation'' when all qualified OSWI unit operators were unavailable.

Response: We agree with commenters that the reporting requirements for qualified OSWI unit operators were intended to apply for periods of active operation, and it was not our intent to require additional reporting for non-

operational periods. We are revising the proposed requirements at 40 CFR 60.2956(j) and 40 CFR 60.3051(j) to clarify that facilities must report the start date, start time, and duration in hours for each period of operation when all qualified OSWI unit operators were unavailable for more than 12 hours but less than 2 weeks.

D. What key comments did we receive on effective and compliance dates?

Comment: Commenters requested EPA clarify the applicability timeline for existing SRI units at 40 CFR 60.2886(a)(5). The commenters stated that the language as written appears to treat all existing SRI units (those constructed prior to August 31, 2020) as new units, subject to the OSWI NSPS, until a state or Federal plan is implemented for existing units, in which case these SRI units become existing units again. Specifically, commenters stated that the effective and compliance dates of the proposed NSPS and EG are unclear and present a conflict related to the definition of new units. The commenters stated that the proposed OSWI rule at 40 CFR 60.2886(a)(3) establishes that small OSWI units that commenced construction after August 31, 2020 are new units, but at section 60.2886(a)(5), says that small OSWI units that ''commenced construction . . . prior to August 31, 2020 . . . are considered new incineration units.'' The commenters stated that this conflicting language could be interpreted as treating certain VSMWC and IWI units with capacities less than or equal to 10 TPD that are currently in operation as new units because they were constructed prior to August 31, 2020. The commenters noted that the proposed language is inconsistent with the proposed transition provision in 40 CFR part 60, subpart EEEE, which recognizes that under the existing rules, OSWIs that commenced construction on or before December 9, 2004 are considered existing OSWIs (see proposed 40 CFR 60.2992(b)). The commenters indicated that the intent, based on the preamble for the proposed rule, is that a unit that is currently subject to the new source OSWI standard or other incinerator standard, continue to comply with that standard until it becomes subject to an approved state or Federal plan under 40 CFR part 60, subpart FFFF. However, the commenter stated that as drafted, this provision would force a unit that is currently classified as an existing OSWI to comply with the new source standard during this transition period. The commenter stated that clarification is required if this is not the intended meaning. Further, commenters are uncertain what the purpose of this provision is, or how treating existing units (temporarily or otherwise) as new units is consistent with section 129 of the CAA. The commenters noted that this provision seems to put unnecessary risk on existing units of having to meet the NSPS for small OSWI units including the proposed emission limitations at table 1 of 40 CFR part 60, subpart EEEE, in the event a state or Federal implementation plan is not forthcoming. The commenters urged that only units constructed or modified after August 31, 2020, can be expected to comply with the limits in 40 CFR part 60, subpart EEEE, which were developed using the best controlled unit, whereas the 40 CFR part 60, subpart FFFF standards were developed using the top 12 percent criterion. The commenter urged that existing SRI units should instead be subject only to the requirements of subpart FFFF. The commenter recommended that the EPA use language in 40 CFR 60.2886 and 40 CFR 60.2992 that does not refer to small OSWI units constructed prior to 2020 as ''new units'' and adopt a new section 60.2886(c) to read as follows: ''(c) Any incineration unit that is a small OSWI unit under 40 CFR 60.2977 and was constructed prior to August 31, 2020, but was required to comply with standards in subpart EEEE of this part prior to [the effective date of these rules] must continue to comply with the applicable standards in subpart EEEE of this part until the unit becomes subject to the requirements of an approved state plan or Federal plan that implements subpart FFFF of this part (Emission Guidelines and Compliance Times for Other Solid Waste Incineration Units).''

Another commenter stated that the reconstruction date of June 16, 2006, in 40 CFR 60.2977 and 40 CFR 60.3078 is not appropriate for SRI units which have not previously been subject to the OSWI rule. Commenters further stated that the definition of reconstruction should be modified for small OSWI units to the date of the proposed rule, August 31, 2020.

Response: In response to comment, the EPA is clarifying the regulatory text with regards to the dates used to define new and existing sources. A new VSMWC or IWI unit is a unit that commenced construction after August 31, 2020, or commenced modification or reconstruction on or after December 29, 2025. Sources that commenced construction after December 9, 2004, or commenced reconstruction or modification on or after June 16, 2006, which are currently new sources under the 2005 OSWI rule, will become existing sources. However, these sources must continue to comply with the requirements of 40 CFR part 60, subpart EEEE, including the emission limits in table 1 to the subpart, until the unit is subject to 40 CFR part 60, subpart FFFF through an approved state plan or Federal plan.

Similarly, SRIs which are currently regulated under the CISWI rules will become subject to regulation under the OSWI rule in this final action. If any SRIs meet the definition of a new OSWI unit, then these new units must demonstrate compliance with the final rule by no later than December 29, 2025, or by the date the unit first begins operation, whichever is later. SRIs that do not meet the definition of a new OSWI unit and are currently regulated under the CISWI rules must continue to demonstrate compliance with subpart CCCC or DDDD of this part, or subpart IIIa of part 62, until the unit becomes subject to the requirements of an approved state plan or federal plan that implements subpart FFFF of this part (Emission Guidelines and Compliance Times for Other Solid Waste Incineration Units).

We are also revising the definitions of ''Modification or modified unit'' and ''reconstruction'' in 40 CFR 60.2977 and 40 CFR 60.3078 to clarify, in conjunction with the amended 40 CFR 60.2886(a)(4), that OSWI units that modify or reconstruct 180 days after publication of the final rule would become subject to 40 CFR part 60, subpart EEEE (New Source Performance Standards for Other Solid Waste Incineration Units).

V. Summary of Cost, Environmental, and Economic Impacts

A. What are the affected facilities?

The EPA estimates there are approximately 60 OSWI units at 56 facilities that will be affected by the final amendments. These OSWI units include 2 VSMWC units with capacity greater than 10 TPD at 2 facilities, 29 small VSMWC units with capacities less than or equal to 10 TPD at 25 facilities, and 29 ACI units at 29 facilities. The number of affected units has decreased from the 2020 Proposed Rule. Notably, we are finalizing a definition of ''rudimentary combustion device'' that applies to a number of combustion units that were previously included in the OSWI inventory. We estimate that the OSWI database developed for the 2020 Proposed Rule includes 9 VSMWC units and 105 IWI units with capacities less than or equal to 10 TPD that meet one of the four criteria for rudimentary combustion devices as described in

section III.D of this preamble. Based on our understanding that these units lack key features of other OSWI units, we have determined that the final OSWI standards are not appropriate for rudimentary combustion devices, and so they are not subject to the final OSWI standards. The basis of our estimate is provided in the memorandum, *Inventory of Other Solid Waste Incineration (OSWI) Units for Final OSWI Rulemaking,* which is available in the docket (see Docket EPA–HQ–OAR–2003–0156) to this rulemaking. We have not received any input on, and for various reasons do not anticipate, the construction of any new sources over the next 3 years. For example, facilities that might use an OSWI unit would be smaller in nature or institutional (*e.g.,* schools). Use of incinerators has been consistently decreasing and the cost of compliance with the NSPS (testing, monitoring, and potentially some control) are likely considered too high to construct new OSWI units. As a result, such facilities would likely use other disposal methods, such as shipping to a CISWI unit or landfilling. While this is generally the case, one exception is remote units in Alaska at oil and gas companies (*e.g.,* the SRIs). However, because most of those units were installed relatively recently and the estimated equipment life of an OSWI unit is 20 years, the EPA considers it unlikely that they will be replaced in the near future.

B. What are the air quality impacts?

EPA expects emissions to decrease relative to the primary baseline in which the 2005 standards have been remanded and no Federal or state plans exist. There are no estimated emissions reductions based on the final OSWI standards relative to an alternative baseline that assumes the 2005 standards are in effect. However, we note that 29 VSMWC units with capacities less than or equal to 10 TPD, which were previously regulated as SRIs by CISWI, will now be regulated under OSWI. Because these units combust municipal-type solid waste, even though they are located at commercial or industrial facilities, we determined they are more appropriately regulated under the OSWI rule (see sections III.C and IV.B of this preamble). Based on the OSWI emissions limits established for these units (which reflects more recent and accurate test data for these units), we estimate that removing these units from CISWI will result in forgone emissions reductions of 11.3 tons per year (tpy) of total CAA section 129 pollutants, with the majority being PM (8.56 tpy) and CO (2.6 tpy), as a result of the units now being regulated under OSWI instead of CISWI. However, we note that many of these units, including SRIs located in the State of Alaska, were not currently meeting the CISWI standards and the implementation of the CISWI standards was prohibited for units in the State of Alaska by Congress (see section IV.A of this preamble). We anticipate that these units will be able to meet the standards in this final OSWI rule, which includes initial and continuous compliance requirements that reduce compliance costs, and could result in improved compliance relative to a baseline where these units are subject to CISWI. These emissions impacts are documented in the memorandum, *Costs and Impacts for Other Solid Waste Incinerators,* which is available in the docket (see Docket EPA–HQ–OAR–2003–0156) for this action.

C. What are the cost and economic impacts?

We anticipate that the final rule will ultimately result in a *de minimis* increase in burden for the affected sources. As EPA discusses in the EIA, we assume the remaining OSWI facilities have not complied with the 2005 rule and likely would not comply in the future with the 2005 requirements in the absence of this final action. To determine whether the final requirements would add to or reduce costs from what OSWI facilities already incur under the existing rule, we compared the costs for the final rule requirements with the costs incurred in a no-standards baseline, which reflects remand of the 2005 standards and the current lack of Federal and state plans. EPA also assessed costs relative to a baseline that includes costs incurred by affected units under the current OSWI and CISWI standards.

EPA notes that there is uncertainty regarding the appropriate baseline for this action given litigation history surrounding the 2005 standards and absence of state and Federal implementation plans. As discussed in the proposed rule (85 FR 54196), the EPA has limited information on the number of OSWI units that are currently complying with the existing OSWI standards, in part because the OSWI Federal plan has not been finalized, and states have neither developed state plans nor incorporated Federal plan requirements into state rules. Additionally, we have limited information from existing facilities that would definitively demonstrate their compliance. In the absence of a Federal plan and EPA-approved state plans in most states, EPA's primary baseline measures the effects of this rule relative to no standards.

For the alternative baseline, EPA assumed (consistent with the proposed rule) that 10 percent of the population of facilities operating OSWI units are in compliance with the existing rule. Therefore, to develop baseline costs for facilities with units currently subject to the 2005 OSWI rules, we assumed that 10 percent have complied and continue to comply with testing, monitoring, and recordkeeping and reporting requirements. We included the initial cost of testing, parametric monitoring systems, and CO and O_2 CEMS because the current OSWI rule requires these systems, and estimated annual compliance costs comprised of annual testing, parametric monitoring, CO and O_2 CEMS monitoring, and associated recordkeeping and reporting. We have retained these assumptions for the alternative baseline in the final rule.

We estimated the alternative baseline total capital investment for the 10 percent of facilities assumed to be in compliance with the current OSWI rule to be $6.30 million (2024$). We estimated the alternative baseline annual costs for the 10 percent of facilities assumed to be in compliance with the current OSWI rules to be $2.78 million (2024$).[21]

The alternative baseline total capital investment for units currently subject to the CISWI standards to comply is estimated to be $29.2 million (2024$), and the annual compliance costs (for monitoring, recordkeeping, and reporting) are estimated to be $11.0 million (2024$).[22]

The total alternative baseline costs for compliance for affected units in the current OSWI and CISWI rules taken together includes $35.5 million (2024$) in total capital investment and total annual costs of $13.8 million (2024$). Combined, this represents a present value of $150 million (2024$) and an equivalent annualized value of $13 million (2024$) at a 3 percent discount rate and a present value of $130 million (2024$) and an equivalent annualized

[21] See Table 4 of the *Economic Impact Analysis for the Final Standards of Performance for New Stationary Sources and Emission Guidelines for Existing Sources: Other Solid Waste Incineration Units,* which is available in the docket (see Docket EPA–HQ–OAR–2003–0156) for this action, for more information on this cost calculation.

[22] See Table 5 of the *Economic Impact Analysis for the Final Standards of Performance for New Stationary Sources and Emission Guidelines for Existing Sources: Other Solid Waste Incineration Units,* which is available in the docket (see Docket EPA–HQ–OAR–2003–0156) for this action, for more information on this cost calculation.

value of $13 million (2024$) at a 7 percent discount rate.[23]

The facilities affected by the final rule include two VSMWC units with capacity greater than 10 TPD and 29 VSMWC units with capacities less than or equal to 10 TPD at 25 facilities. The final rule does not substantively change the compliance requirements for the VSMWC with capacity greater than 10 TPD and ACI facilities. Although costs are incurred by the 29 VSMWC units with capacities less than or equal to 10 TPD at 25 facilities, under a baseline that assumes the Congressional rider barring CISWI impementation does not continue, these costs are offset because these units would no longer be regulated under CISWI. However, under a baseline that assumes the Congressional rider will continue in perpetuity, these are new costs to the VSMWCs. The costs that would be incurred under the final rule for all units are for initial compliance, continuous compliance, and recordkeeping and reporting. The final rule revises the applicability of the 2005 rule to exclude units that meet the definition of a rudimentary combustion device, as discussed in section III.B of this preamble. The final rule also allows for owners and operators of VSMWC and IWI units with capacities less than or equal to 10 TPD (including units that were previously regulated under CISWI as SRIs) to reduce their initial and compliance costs using alternatives to initial and annual testing; the final rule costs for these units reflect the recordkeeping and reporting required to comply with waste characterization requirements (as discussed in section III.F.1 of this preamble). Further, the rule allows for electronic reporting. Benefits to industry of electronic reporting include reduced costs for creation and transmittal of reports.

Under the alternative baseline, the total initial cost of compliance (for recordkeeping and reporting) for the final OSWI standards is estimated to be $158,000 (2024$) and the annual compliance costs are estimated to be $798,000 ($393,000 for testing and $405,000 recordkeeping and reporting) (2024$).[24] Combined, this represents a present value of $8.9 million (2024$) and an equivalent annualized value of $720,000 (2024$) at a 3 percent discount rate and a present value of $7.2 million (2024$) and an equivalent annualized value of $730,000 (2024$) at a 7 percent discount rate.[25]

The total resulting cost impacts of the final rule in comparison to the alternative baseline is a one-time benefit of $35.3 million (2024$) in total capital investment and a reduction in total annual costs of $13.0 million (2024$).[26] Combined, this represents a present value of $140 million (2024$) and an equivalent annualized value of $12 million (2024$) at a 3 percent discount rate and a present value of $120 million (2024$) and an equivalent annualized value of $13 million (2024$) at a 7 percent discount rate.[27] The cost savings reflects a reduction in the number of facilities with applicable requirements under the OSWI standards, based on the changes to the applicability in this final rule (see section III.B of this preamble for additional information), and the regulation of 29 units under the OSWI rule instead of regulation under the CISWI rule as SRI units.

The cost calculations are detailed in the memorandum, *Costs and Impacts of the Final Other Solid Waste Incineration (OSWI) Units Rulemaking,* which is available in the docket (see Docket EPA–HQ–OAR–2003–0156) for this action.

The EPA provides an analysis of the compliance costs in present value and equivalent annual value form in the memorandum, *Economic Impact Analysis for the Final Standards of Performance for New Stationary Sources and Emission Guidelines for Existing Sources: Other Solid Waste Incineration Units,* which is available in the docket (see Docket EPA–HQ–OAR–2003–0156) for this action.

Relative to the alternative baseline, the final rule is burden reducing relative to the 2005 rule because it revises the applicability of the requirements of the 2005 rule to limit the OSWI standards that apply to units that meet the definition of a rudimentary combustion device, and allows for certain owners and operators of VSMWC and IWI units with capacities less than or equal to 10 TPD to reduce their initial and compliance costs using alternatives to initial and annual testing (*i.e.,* the substitute means of compliance demonstration and alternative waste characterization options that are described in section III.F.1 of this preamble).

However, as noted previously, there is uncertainty regarding the appropriate baseline for this action because the 2005 rule has yet to be fully implemented. As measured against EPA's primary baseline, some affected OSWI owner/operators may need to perform initial compliance actions and incur compliance costs on an ongoing basis. The EPA expects minimal economic impacts under the final rule because of the relatively small number of affected existing units and because the EPA does not anticipate affected new sources in the next 3 years. As a result, this action will incur *de minimis* regulatory costs. As discussed in the economic impact analysis associated with the 2005 rule, OSWI owner/operators may also substitute landfilling services for incineration rather than perform compliance actions associated with this rule (see Docket Item No. EPA–HQ–OAR–2003–0156–0101). However, the rate at which owner/operators of OSWI units substitute the use of landfilling services rather than incur the costs of OSWI compliance is highly uncertain. More information and details of this analysis is provided in the memorandum, *Economic Impact Analysis for the Proposed Standards of Performance for New Stationary Sources and Emission Guidelines for Existing Sources: Other Solid Waste Incineration Units,* which is available in the docket (see Docket EPA–HQ–OAR–2003–0156) for this action.

D. What are the benefits?

The final emission limits are unchanged relative to the 2005 standards for units with capacities greater than 10 TPD. The limits for the subcategories of VSMWC and IWI with capacities less than or equal to 10 TPD are less stringent than the corresponding limits for VSMWC and IWI with capacities greater than 10 TPD. However, the VSMWC and IWI with capacities less than or equal to 10 TPD operate intermittently with a relatively low stack gas flow rate, and so the actual emissions of pollutants are relatively low for these units. For

[23] See Table 8 of the *Economic Impact Analysis for the Final Standards of Performance for New Stationary Sources and Emission Guidelines for Existing Sources: Other Solid Waste Incineration Units,* which is available in the docket (see Docket EPA–HQ–OAR–2003–0156) for this action.

[24] See Table 6 of the *Economic Impact Analysis for the Final Standards of Performance for New Stationary Sources and Emission Guidelines for Existing Sources: Other Solid Waste Incineration Units,* which is available in the docket (see Docket EPA–HQ–OAR–2003–0156) for this action, for more information on this cost calculation.

[25] See Table 8 of the *Economic Impact Analysis for the Final Standards of Performance for New Stationary Sources and Emission Guidelines for Existing Sources: Other Solid Waste Incineration Units,* which is available in the docket (see Docket EPA–HQ–OAR–2003–0156) for this action.

[26] See Table 7 of the *Economic Impact Analysis for the Final Standards of Performance for New Stationary Sources and Emission Guidelines for Existing Sources: Other Solid Waste Incineration Units,* which is available in the docket (see Docket EPA–HQ–OAR–2003–0156) for this action, for more information on this cost calculation.

[27] See Table 8 of the *Economic Impact Analysis for the Final Standards of Performance for New Stationary Sources and Emission Guidelines for Existing Sources: Other Solid Waste Incineration Units,* which is available in the docket (see Docket EPA–HQ–OAR–2003–0156) for this action.

example, the EPA estimates that a representative VSMWC with capacity greater than 10 TPD may emit between 0.006 and 0.01 tons of Cd per year while meeting its limit of 18 µg/dscm, while the highest-emitting VSMWC with capacity less than or equal to 10 TPD emitting at the level of the standard (2,000 µg/dscm) would only emit 0.007 tons of Cd per year.

There are no changes relative to the 2005 standards to the requirements for the 29 ACI units and the 2 VSMWC with capacities greater than 10 TPD. Therefore, there are no emission reductions for them. The 29 units brought over from CISWI and now classified as VSMWC with capacities less than or equal to 10 TPD are assumed to be able to meet the emission limits in the final rulemaking for units less than or equal to 10 TPD capacity based on the test information provided and input provided by AOGA in their comments. Therefore, there are no emission reductions for these units.

Because the emission limits for the IWI and VSMWC with capacities less than or equal to 10 TPD are less stringent than the CISWI limits, movement of the units will result in forgone emissions reductions, *i.e.,* emissions reductions that would have occurred had the units stayed in CISWI and the CISWI emissions limits were implemented for them. Table 5 shows the forgone emissions reductions. The detailed emissions reductions calculations are documented in the memorandum *Final Reconsideration Baseline Emissions and Emissions Reductions Estimates for Existing CISWI Units* which is in the CISWI docket.

TABLE 5—ESTIMATED FORGONE EMISSIONS REDUCTIONS FROM MOVING 29 UNITS FROM CISWI TO OSWI *

Pollutant	Total forgone emissions reductions (tons/year)
Cadmium (Cd)	0.018
Carbon monoxide (CO)	2.6
Hydrogen chloride (HCl)	0
Lead (Pb)	0.116
Mercury (Hg)	0.00028
Nitrogen oxides (NO_X)	0
Particulate matter (PM)	8.56
Sulfur dioxide (SO_2)	0
Dioxins/furans (PCDD/PCDF)	0
Total	11.3

* These forgone emissions reductions are relative to a baseline in which the Congressional rider pertaining to CISWI does not continue.

Although the EPA does not anticipate quantifiable reductions in emissions as a result of the final rule, this action includes improvements to the 2005 OSWI rule. Specifically, the final amendments revise the OSWI standards such that they apply at all times, which we expect will minimize emissions during periods of SSM and protect public health and the environment. Additionally, the final amendments require electronic submittal of performance tests, deviation reports, and annual compliance reports, which will streamline reporting for affected sources and increase the usefulness of the data and improve data accessibility for the public. The EPA has developed CEDRI, which is located on EPA's Central Data Exchange (CDX), an application used by EPA programs and various stakeholders to manage environmental data transmitted to EPA. Reports are stored in the CDX and made available to report certifiers, preparers, and authorized EPA, regional, state, local, and Tribal reviewers immediately upon submission. Following a processing period, copies of the reports are also subsequently sent to EPA's WebFIRE where the reports are available for public access. Increasing the availability of facility emissions and reporting data allows for accountability of emitters to the public, and the information collected through improved electronic reporting will aid local, state, and national policymakers as they evaluate and consider future policy decisions. Benefits to industry of electronic reporting include the the value of having more standardized data to present to the public to demonstrate appropriate environmental stewardship, and to better evaluate emission levels and identify opportunities to reduce emissions. Additionally, as discussed in section V.B of this preamble, we expect that certain units that previously were not meeting standards under CISWI will be able to meet the standards in this final OSWI rule; which could result in improved compliance and subsequent emissions reductions. In addition, relative to EPA's primary baseline, the standards in this final rule represent emissions reductions that the agency has not quantified or monetized.

VI. Statutory and Executive Order Reviews

Additional information about these statutes and Executive Orders can be found at *https://www.epa.gov/laws-regulations/laws-and-executive-orders.*

A. Executive Orders 12866: Regulatory Planning and Review and Executive Order 13563: Improving Regulation and Regulatory Review

This action is a significant regulatory action that was submitted to the Office of Management and Budget (OMB) for review. Any changes made during Executive Order 12866 review have been documented in the docket. The EPA prepared an analysis of the potential costs and benefits associated with this action. This analysis, *Economic Impact Analysis for the Final Standards of Performance for New Stationary Sources and Emission Guidelines for Existing Sources: Other Solid Waste Incineration Units* is available in the docket. The economic impacts of this rulemaking are also discussed in section V.D of this preamble.

B. Executive Order 14192: Unleashing Prosperity Through Deregulation

This action is considered an Executive Order 14192 deregulatory *de minimis* action. Details on the estimated cost impacts are presented in the memorandum titled, *Economic Impact Analysis for the Final Standards of Performance for New Stationary Sources and Emission Guidelines for Existing Sources: Other Solid Waste Incineration Units,* which is available in the docket (see Docket EPA–HQ–OAR–2003–0156) for this action.

C. Paperwork Reduction Act (PRA)

The information collection activities in this action have been submitted for approval to OMB under the PRA as discussed for each subpart covered by this action in sections VI.B.1 and VI.B.2.

1. 40 CFR Part 60, Subpart EEEE

The information collection request (ICR) document that the EPA prepared has been assigned EPA ICR number 2163.09 and OMB control number 2060–0563. You can find a copy of the ICR in the docket for this rule, and it is briefly summarized here. The information collection requirements are not enforceable until OMB approves them.

We are finalizing amendments that revise 40 CFR part 60, subpart EEEE to revise applicability-related and definitional changes, remove the reporting requirements related to periods of SSM, and add electronic reporting requirements for submittal of certain reports and performance test results.

This information will be collected to assure compliance with 40 CFR part 60, subpart EEEE. The total estimated burden and cost for reporting and recordkeeping due to these amendments are presented here and are not intended to be cumulative estimates that include the burden associated with the requirements of the existing 40 CFR part 60, subpart EEEE. The ICR reflects both the total burden for subject units to comply with EEEE and the incremental

burden associated with the requirements of these final amendments.

Respondents/affected entities: Owners and operators of other solid waste incineration units.

Respondent's obligation to respond: Mandatory (40 CFR 60, subpart EEEE).

Estimated number of respondents: 2.

Frequency of response: Initially and annually.

Total estimated burden: 817 hours (per year), which includes 0 hours of incremental burden from the final revisions. Burden is defined at 5 CFR 1320.3(b).

Total estimated cost: $421,000 (per year), of which there are no incremental costs from the final revisions to 40 CFR part 60, subpart EEEE. These costs include annualized capital or operation and maintenance costs of $306,000, of which there are no incremental annualized capital or operation and maintenance costs from the final revisions to 40 CFR part 60, subpart EEEE.

2. 40 CFR Part 60, Subpart FFFF

The ICR document that the EPA prepared has been assigned EPA ICR number 2164.09 and OMB control number 2060–0562. You can find a copy of the ICR in the docket for this rule, and it is briefly summarized here. The information collection requirements are not enforceable until OMB approves them.

We are finalizing amendments that revise 40 CFR part 60, subpart FFFF, to revise applicability-related and definitional changes, remove the reporting requirements related to periods of SSM, and add electronic reporting requirements for submittal of certain reports and performance test results.

This information will be collected to assure compliance with 40 CFR part 60, subpart FFFF. The total estimated burden and cost for reporting and recordkeeping due to these amendments are presented here and are not intended to be cumulative estimates that include the burden associated with the requirements of the existing 40 CFR part 60, subpart FFFF. The ICR reflects both the total burden anticipated for FFFF and the incremental burden associated with the requirements of these final amendments.

Respondents/affected entities: Owners and operators of other solid waste incineration units.

Respondent's obligation to respond: Mandatory (40 CFR 60, subpart FFFF).

Estimated number of respondents: 54.

Frequency of response: Initially and annually.

Total estimated burden: 2,390 hours (per year), which includes 1,824 hours of incremental burden from the final revisions. Burden is defined at 5 CFR 1320.3(b).

Total estimated cost: $424,000 (per year), of which includes $257,000 in incremental costs from these final revisions to 40 CFR part 60, subpart FFFF. These costs include annualized capital or operation and maintenance costs of $87,000, of which there are no incremental annualized capital or operation and maintenance costs from the final revisions to 40 CFR part 60, subpart FFFF.

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 OMB control numbers for the EPA's regulations in 40 CFR are listed in 40 CFR part 9. When OMB approves this ICR, the Agency will announce that approval in the **Federal Register** and publish a technical amendment to 40 CFR part 9 to display the OMB control number for the approved information collection activities in this final rule.

D. Regulatory Flexibility Act (RFA)

I certify that this action will not have a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (RFA). In making this determination, the EPA concludes that the impact of concern for this rule is any significant adverse economic impact on small entities and that the agency is certifying that this rule will not have a significant economic impact on a substantial number of small entities because the rule relieves regulatory burden on the small entities subject to the rule.

The small entities that may be subject to the requirements of this action are small businesses, small government jurisdictions, and small nonprofits. Because we do not have an accurate inventory of potential OSWI units, there may be additional units at small entities that could be impacted by this final rule.

However, those impacts are likely to be minimal because this final rule will not impose any requirements on combustion units that meet the definition of a rudimentary combustion device (units with capacities less than or equal to 10 TPD without one or more of the elements listed in section III.B of this preamble). Many of these units are located at small entities and therefore would not be subject to the final rules. Additionally, this rule allows for owners and operators of VSMWC and IWI units with capacities less than or equal to 10 TPD to reduce their initial and annual compliance costs using alternatives to initial and annual testing (as discussed in section III.F.1 of this preamble), which further reduces the compliance costs for small entities.

Of the 174 OSWI units in our dataset, 69 units (about 40 percent) are owned by small entities. Of the $13 million in annualized regulatory cost savings, about $3 million (or 23 percent) of the savings are estimated to accrue to small entities. The difference between these percentages is primarily due to the fact that small entities own a disproportionate number of ACI units (23 out of 29 units) which are not expected to experience a regulatory cost change under this rule. As described in section II.B, the 2024 ACI Rule removed title V permitting requirements for ACIs that only burn wood waste, clean lumber, yard waste, or a mixture of those, and are not located at title V major sources or subject to title V for other reasons. Small entities owning OSWI-affected ACI units will receive a reduction in compliance expenditures under that rule. Overall, this final rule will reduce regulatory requirements for affected units relative to requirements faced before this final rulemaking. We have therefore concluded that this action will relieve regulatory burden for all directly regulated small entities.

Details of this analysis are presented in the memorandum titled, *Economic Impact Analysis for the Final Standards of Performance for New Stationary Sources and Emission Guidelines for Existing Sources: Other Solid Waste Incineration Units,* which is available in the docket (see Docket EPA–HQ–OAR–2003–0156) for this action.

E. Unfunded Mandates Reform Act (UMRA)

This action does not contain an unfunded mandate of $100 million or more as described in UMRA, 2 U.S.C. 1531–1538, and does not significantly or uniquely affect small governments. While this action creates an enforceable duty on the private sector, the cost does not exceed $100 million or more.

F. Executive Order 13132: Federalism

This action does not have Federalism implications. It will not have substantial direct effects 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. However, the EPA recognizes that states will have an interest in this action and any future revisions to associated requirements relating to state implementation plans.

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

This action does not have Tribal implications as specified in Executive Order 13175. It will neither impose direct compliance costs on federally recognized Tribal governments nor preempt Tribal law. Thus, Executive Order 13175 does not apply to this action.

The EPA is not aware of any OSWI owned or operated by Indian Tribal governments at the time of the publication of this document. Because we do not have an accurate inventory of potential OSWI units, there may be additional units owned or operated by Indian Tribal governments that could be impacted.

Consistent with the EPA Policy on Consultation and Coordination with Indian Tribes, the EPA consulted with Tribal officials under the EPA Policy on Consultation and Coordination with Indian Tribes early in the process of developing this regulation to allow for meaningful and timely input into its development. The EPA conducted multiple outreach activities such as Tribal partnership calls, webinars, and offers for government-to-government consultation with potentially impacted Tribes and other Tribes as requested. A summary of this consultation is provided in section II.C of this preamble.

H. Executive Order 13045: Protection of Children From Environmental Health Risks and Safety Risks

Executive Order 13045 directs federal agencies to include an evaluation of the health and safety effects of the planned regulation on children in federal health and safety standards and explain why the regulation is preferable to potentially effective and reasonably feasible alternatives. This action is not subject to Executive Order 13045 because it is not a significant regulatory action under section 3(f)(1) of Executive Order 12866, and because the EPA does not believe the environmental health or safety risks addressed by this action present a disproportionate risk to children. The emission limits for most OSWI units remain unaffected by this rulemaking. However, the emission limits for VSMWC and IWI with capacity less than or equal to 10 TPD have been added to reflect actual emissions from units of those size, and the applicability of the OSWI rule has been updated such that SRIs which were previously regulated under CISWI will now be regulated under OSWI. SRIs are not currently meeting the emission limits under CISWI, as explained in Section IV.A of this preamble. SRIs will be required to meet OSWI limits under an applicable state or Federal plan. All units are expected to be able to meet the OSWI limits. Because the SRIs are not currently required to meet the CISWI emission limits and are expected to be able to meet the OSWI limits, the EPA does not anticipate any changes in emissions from these units (see Section V.B. for more discussion). Since the EPA estimates no changes in actual emissions based on this rulemaking, the EPA does not believe there are disproportionate risks to children caused by this action.

However, the EPA's *Policy on Children's Health* applies to this action. This action is consistent with the EPA's *Policy on Children's Health* because the new technology-based standards provide a maximum level of emission that is implementable for all OSWI units. As described by the 2020 proposal, the EPA also considered more stringent standards in the context of beyond-the-floor regulatory options, but determined that requiring additional controls on VSMWC or IWI with capacity less than or equal to 10 TPD is infeasible or cost prohibitive.[28] As explained in Section III.C of this preamble, the emissions from the VSMWC or IWI with capacity less than or equal to 10 TPD are relatively small on an annual basis, and these units are primarily located in remote areas with low populations, including populations of children.

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

This action is not a ''significant energy action'' because it is not likely to have a significant adverse effect on the supply, distribution, or use of energy. This action includes defining and setting emission limits for new subcategories; applicability-related and definitional changes; changes to the startup, shutdown, and malfunction (SSM) provisions; and the testing, monitoring, recordkeeping, and reporting requirements. This does not impact energy supply, distribution, or use.

J. National Technology Transfer and Advancement Act (NTTAA) and 1 CFR Part 51

This action involves technical standards. As discussed in the proposal preamble (85 FR 54178; August 31, 2020), the EPA conducted searches for the OSWI standards through the Enhanced National Standards Systems Network Database managed by the American National Standards Institute (ANSI). We also contacted voluntary consensus standards (VCS) organizations and accessed and searched their databases. During the EPA's VCS search, if the title or abstract (if provided) of the VCS described technical sampling and analytical procedures that are similar to the EPA's reference method, the EPA reviewed the VCS as a potential equivalent method.

The EPA incorporates by reference VCS, ASTM D7520–16, ''Standard Test Method for Determining the Opacity of a Plume in the Outdoor Ambient Atmosphere'' as an acceptable alternative to EPA Method 9. This test method describes the procedures to determine the opacity of a plume, using digital imagery and associated hardware and software. The plume is caused by particulate matter emitted from a stationary point source in the outdoor ambient environment. The opacity of emissions is determined by the application of a Digital Camera Opacity Technique (DCOT) that consists of a digital still camera, analysis software, and the output function's content to obtain and interpret digital images to determine and report plume opacity. This method is suitable to determine the opacity of plumes from zero percent to one hundred percent. Conditions that shall be considered when using this method to obtain the digital image of the plume include the plume's background, the existence of condensed water in the plume, orientation of the digital still camera to the plume and the sun. This standard describes the procedures to certify the DCOT, hardware, software, and method to determine the opacity of the plumes.

This method is available for purchase from ASTM International, 100 Barr Harbor Drive, P.O. Box CB700, West Conshohocken, Pennsylvania 19428–2959, (800) 262–1373, *http://www.astm.org/*. The EPA's approval of this method as an alternative method does not provide or imply a certification or validation of any vendor's hardware or software. The onus to maintain and verify the certification and/or training of the DCOT camera, software, and operator in accordance with ASTM D7520–16 is on the facility, DCOT operator, and DCOT vendor. The standard is available to everyone at a cost determined by ASTM ($119). ASTM also offers memberships or subscriptions for reduced costs. The cost of obtaining this method is not a significant financial burden, making the method reasonably available.

[28] 85 FR 54186 (August 31, 2020).

The EPA incorporates by reference VCS, American National Standards Institute/American Society of Mechanical Engineers (ASME/ANSI) PTC 19.10–1981 Part 10, ''Flue and Exhaust Gas Analyses'' as an acceptable alternative to EPA Methods 3B, 6, and 7 (manual portion only, not the instrumental procedures). This standard was previously incorporated into the 2005 OSWI final rule. This standard determines quantitatively the gaseous constituents of exhausts resulting from stationary combustion sources. The gases covered in ASME/ANSI PTC 19.10–1981 are O_2, carbon dioxide (CO_2), CO, SO_2, sulfur trioxide (SO_3), nitric oxide (NO), nitrogen dioxide (NO_2), hydrogen sulfide (H_2S), and hydrocarbons. However, the use in this rule is only applicable to O_2, CO_2, SO_2, NO, and NO_2. This standard may be obtained from the American National Standards Institute (ANSI), 1899 L Street NW, 11th Floor, Washington, DC 20036 and the American Society of Mechanical Engineers (ASME), Two Park Avenue, New York, NY 10016–5990. See *https://www.ansi.org* and *https://www.asme.org.* The standard is available to everyone at a cost determined by ASME/ANSI ($80). ASME/ANSI also offer memberships or subscriptions for reduced costs. The cost of obtaining this method is not a significant financial burden, making the method reasonably available.

The EPA incorporates by reference an EPA guidance document, Office of Air Quality Planning and Standards (OAQPS) Fabric Filter Bag Leak Detection Guidance, EPA–454/R–98–015, September 1997, for its guidance on the use of fabric filter air pollution control devices and monitoring system descriptions, selection, installation, set up, adjustment, operation, and quality assurance procedures. In conjunction with the bag leak detection system manufacturer's written specifications, this guidance helps to ensure proper installation, operation, and maintenance of these systems. This guidance may be obtained from the U.S. Environmental Protection Agency, 1200 Pennsylvania Avenue NW, Washington, DC 20460, (202) 272–0167, *https://www.epa.gov* or *https://www.epa.gov/sites/default/files/2021-01/documents/bagleakddetectionguidance.pdf.* The EPA determined that this standard is reasonably available because it is freely available from the EPA.

While the EPA also identified 26 other VCS as being potentially applicable, the Agency decided not to use them because those methods are impractical as alternatives due to lack of equivalency, documentation, or validation data, or because of other important technical and policy considerations. The search and review results have been documented and are in the memorandum, *Voluntary Consensus Standard Results for Standards of Performance for New Stationary Sources and Emission Guidelines for Existing Sources: Other Solid Waste Incineration Units; Proposed Rule,* which is available in the docket (see Docket EPA–HQ–OAR–2003–0156) for this rulemaking.

K. Congressional Review Act (CRA)

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

List of Subjects in 40 CFR Part 60

Environmental protection, Administrative practice and procedures, Air pollution control, Incorporation by reference, Intergovernmental relations, Reporting and recordkeeping requirements.

Lee Zeldin,

Administrator.

For the reasons set forth in the preamble, the Environmental Protection Agency amends part 60 of title 40, chapter I, of the Code of Federal Regulations as follows:

PART 60—STANDARDS OF PERFORMANCE FOR NEW STATIONARY SOURCES

■ 1. The authority citation for part 60 continues to read as follows:

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

Subpart A—General Provisions

■ 2. Amend § 60.17 by revising paragraphs (g)(14), (h)(215), and (k)(3) to read as follows:

§ 60.17 Incorporations by reference.

* * * * *

(g) * * *

(14) ASME/ANSI PTC 19.10–1981, Flue and Exhaust Gas Analyses [Part 10, Instruments and Apparatus], Issued August 31, 1981 IBR approved for §§ 60.56c(b); 60.63(f); 60.106(e); 60.104a(d), (h), (i), and (j); 60.105a(b), (d), (f), and (g); 60.106a(a); 60.107a(a), (c), (d), and e; 60.275(e); 60.275a(e); 60.275b(e); 60.285a(f); 60.396a(a); 60.614a(b); 60.664a(b); 60.704(b); 60.704a(b); 60.2145(s) and (t); 60.2710(s) and (t); 60.2922(e); 60.2940(c); tables 1, 1a, 1b, and 3 to subpart EEEE; §§ 60.3027(e); 60.3039(c); tables 2, 2a, and 4 to subpart FFFF; table 2 to subpart JJJJ; §§ 60.4415(a); 60.4900(b); tables 1 and 2 to subpart LLLL; § 60.5220(b); tables 2 and 3 to subpart MMMM; §§ 60.5406(c); 60.5413(b); 60.5406a(c); 60.5407a(g); 60.5413a(b) and (d); 60.5406b(c); 60.5407b(g); 60.5413b(b) and (d); 60.5413c(b) and (d).

* * * * *

(h) * * *

(215) ASTM D7520–16, Standard Test Method for Determining the Opacity of a Plume in the Outdoor Ambient Atmosphere, approved April 1, 2016; IBR approved for §§ 60.123(c); 60.123a(c); 60.271(k); 60.272(a) and (b); 60.273(c) and (d); 60.274(i); 60.275(e); 60.276(c); 60.271a; 60.272a(a) and (b); 60.273a(c) and (d); 60.274a(h); 60.275a(e); 60.276a(f); 60.271b; 60.272b(a) and (b); 60.273b(c) and (d); 60.274b(h); 60.275b(e); 60.276b(f); 60.374a(d); 60.2972(a); tables 1, 1a, and 1b to subpart EEEE; § 60.3067(a); tables 2 and 2a to subpart FFFF.

* * * * *

(k) * * *

(3) EPA–454/R–98–015, Office of Air Quality Planning and Standards (OAQPS), Fabric Filter Bag Leak Detection Guidance, September 1997; IBR approved for §§ 60.124(f); 60.124a(f); 60.273(e); 60.273a(e); 60.273b(e); 60.373a(b); 60.2145(r); 60.2710(r); 60.2944(c), 60.3043(c), 60.4880(b); 60.5200(b). (Available from: *https://nepis.epa.gov/Exe/ZyPDF.cgi?Dockey=2000D5T6.pdf*).

* * * * *

Subpart CCCC—Standards of Performance for Commercial and Industrial Solid Waste Incineration Units

■ 3. Amend § 60.2020 by adding paragraph (k) to read as follows:

§ 60.2020 What combustion units are exempt from this subpart?

* * * * *

(k) *Small remote incinerators.* Incineration units located in the State of Alaska are not subject to this subpart as specified in the Consolidated Appropriations Act of 2024, H.R. 4366, section 432. For small, remote incinerators that met the requirements of 40 CFR 60.2015(a)(3) as of December 29, 2025, the unit remains subject to this subpart until the unit becomes subject to the requirements of an approved state plan or Federal plan that implements subpart FFFF of this part (Emission Guidelines and Compliance Times for Other Solid Waste Incineration Units).

Subpart DDDD—Emissions Guidelines and Compliance Times for Commercial and Industrial Solid Waste Incineration Units

■ 4. Amend § 60.2555 by adding paragraph (k) to read as follows:

§ 60.2555 What combustion units are exempt from my state plan?

* * * * *

(k) *Small, remote incinerators.* Incineration units located in the State of Alaska are not subject to this subpart as specified in the Consolidated Appropriations Act of 2024, H.R. 4366, section 432. For small, remote incinerators that met the requirements of 40 CFR 60.2550(a) as of December 29, 2025, the unit remains subject to this subpart until the unit becomes subject to the requirements of an approved state plan or Federal plan that implements subpart FFFF of this part (Emission Guidelines and Compliance Times for Other Solid Waste Incineration Units).

Subpart EEEE—Standards of Performance for Other Solid Waste Incineration Units

■ 5. Revise the heading of subpart EEEE of part 60 to read as set out above.

■ 6. Revise and republish § 60.2881 to read as follows:

§ 60.2881 When does this subpart become effective?

This subpart takes effect December 29, 2025. Some of the requirements in this subpart apply to planning the incineration unit and must be completed even before construction is initiated on the unit (*i.e.,* the preconstruction requirements in §§ 60.2894 and 60.2895). Other requirements such as the emission limitations and operating limits apply when the unit begins operation.

■ 7. Amend § 60.2885 by revising paragraphs (a) and (b), and adding paragraph (d) to read as follows:

§ 60.2885 Does this subpart apply to my incineration unit?

* * * * *

(a) Your incineration unit is a new incineration unit as defined in § 60.2886, except as specified in paragraph (d) of this section.

(b) Your incineration unit is an OSWI unit as defined in § 60.2977 or an air curtain incinerator subject to this subpart as described in § 60.2888. Other solid waste incineration units are very small municipal waste combustion units and institutional waste incineration units as defined in § 60.2977.

* * * * *

(d) This subpart does not apply to your incineration unit if it is a rudimentary combustion device as defined in § 60.2977.

■ 8. In § 60.2886 revise and republish paragraph (a) to read as follows:

§ 60.2886 What is a new incineration unit?

(a) A new incineration unit is an incineration unit subject to this subpart that meets any of the criteria specified in paragraphs (a)(1) or (2) of this section, except as specified in paragraph (a)(3) of this section.

(1) Commenced construction after August 31, 2020.

(2) Commenced reconstruction or modification on or after December 29, 2025.

(3) If your incineration unit is a very small municipal waste combustion unit or institutional waste incineration unit and commenced construction, reconstruction, or modification on or before August 31, 2020, or reconstruction or modification on or before December 29, 2025, and you must meet one of the following:

(i) If your incineration unit commenced construction after December 9, 2004, or commenced reconstruction or modification after June 16, 2006, and met the applicability of paragraph (a)(1) or (a)(2) of this section before December 29, 2025, your unit is considered a new incineration unit and remains subject to the emission limitations of table 1 and applicable requirements of this subpart until the unit becomes subject to the requirements of an approved state plan or federal plan that implements subpart FFFF of this part (Emission Guidelines and Compliance Times for Other Solid Waste Incineration Units), except as provided in paragraph (a)(3)(iii) of this section.

(ii) If your incineration unit commenced construction on or before December 9, 2004, or commenced reconstruction or modification on or before June 16, 2006, and did not meet the applicability of paragraph (a)(1) or (a)(2) of this section as of December 29, 2025, then your unit is considered an existing incineration unit and is subject to the requirements of an approved state plan or federal plan that implements subpart FFFF of this part (Emission Guidelines and Compliance Times for Other Solid Waste Incineration Units), except as provided in paragraph (a)(3)(iii) of this section.

(iii) If you met the applicability of § 60.2015(a)(3) or § 40 CFR 60.2550(a) as of December 29, 2025, then your unit is considered a commercial and industrial solid waste incineration unit and remains subject to the applicable requirements, until the unit becomes subject to the requirements of an approved state plan or federal plan that implements subpart FFFF of this part (Emission Guidelines and Compliance Times for Other Solid Waste Incineration Units).

* * * * *

■ 9. Amend § 60.2887 by revising paragraphs (b)(1), (b)(3), and paragraph (q) introductory text to read as follows:

§ 60.2887 What combustion units are excluded from this subpart?

* * * * *

(b) * * *

(1) The unit has a federally enforceable permit limiting the combustion of municipal solid waste to 30 percent of the total fuel input by weight.

* * * * *

(3) You provide the Administrator with a copy of the federally enforceable permit.

* * * * *

(q) *Incinerators used for national security.* Your incineration unit is excluded if it meets the requirements specified in either paragraph (q)(1) or (2) of this section.

* * * * *

■ 10. Amend § 60.2888 by revising paragraph (a) and paragraph (b) introductory text to read as follows:

§ 60.2888 Are air curtain incinerators regulated under this subpart?

(a) Air curtain incinerators that burn less than 35 tons per day of municipal solid waste or air curtain incinerators located at institutional facilities burning any amount of institutional waste generated at that facility are incineration units subject to all requirements of this subpart, including the emission limitations specified in tables 1, 1a, and 1b to this subpart.

(b) Air curtain incinerators that burn less than 35 tons per day and burn only the materials listed in paragraphs (b)(1) through (4) of this section collected from the general public and from residential, commercial, institutional, and industrial sources; or, air curtain incinerators located at institutional facilities that burn only the materials listed in paragraphs (b)(1) through (4) of this section generated at that facility, are required to meet only the requirements in §§ 60.2970 through 60.2973 and are exempt from all other requirements of this subpart.

* * * * *

■ 11. Revise § 60.2889 to read as follows:

§ 60.2889 Who implements and enforces this subpart?

(a) This subpart can be implemented and enforced by the U.S. Environmental Protection Agency (EPA), or a delegated authority such as your state, local, or Tribal authority. If the EPA has delegated authority to your state, local, or Tribal authority, then that agency (as well as the EPA) has the authority to implement and enforce this subpart. You should contact your EPA Regional office to find out if this subpart is delegated to your state, local, or Tribal authority.

(b) In delegating implementation and enforcement authority of this subpart to a state, local, or Tribal authority, the authorities listed in paragraphs (b)(1) through (9) of this section are retained by EPA and are not transferred to the state, local, or Tribal authority.

(1) The authority to approve alternatives to the emission limitations in tables 1, 1a, and 1b to this subpart and operating limits established under § 60.2916 and table 2 to this subpart.

(2) The authority to approve petitions for specific operating limits in accordance with the requirements in § 60.2917.

(3) The authority of the Administrator to receive and grant petitions under § 60.8(b)(3) to approve major alternatives to test methods in § 60.2922.

(4) The authority to approve major alternatives to monitoring in §§ 60.2939 through 60.2945.

(5) The authority to approve major alternatives to recordkeeping and reporting in §§ 60.2949 through 60.2962.

(6) The authority to receive the required notices and to approve continued operation in connection with the status report requirements in § 60.2911(c)(2).

(7) The authority of the Administrator to receive and grant petitions under § 60.11(e)(6) through (8) to adjust opacity standards and establish opacity standards in accordance with alternative opacity emission limits in § 60.2915 and §§ 60.2971 through 60.2973.

(8) The authority of the Administrator under § 60.8(b)(4) to waive performance test requirements and § 60.8(b)(5) to approve shorter sampling times or smaller sample volumes.

(9) The authority to approve an alternative to any electronic reporting to the EPA required by this subpart.

■ 12. Amend § 60.2890 by revising the introductory text and adding paragraphs (j) and (k) to read as follows:

§ 60.2890 How are these new source performance standards structured?

These new source performance standards contain 11 major components, as follows:

* * * * *

(j) Definitions.

(k) Tables.

■ 13. Revise § 60.2894 to read as follows:

§ 60.2894 Who must prepare a siting analysis?

You must prepare a siting analysis if you commence construction after August 31, 2020, or if you commence reconstruction or modification on or after December 29, 2025.

■ 14. Amend § 60.2895 by revising paragraphs (a) and (b) to read as follows:

§ 60.2895 What is a siting analysis?

(a) The siting analysis must consider air pollution control alternatives that minimize, on a site-specific basis, to the maximum extent practicable, potential risks to public health or the environment. In considering such alternatives, you may consider costs, energy impacts, non-air environmental impacts, or any other factors related to the practicability of the alternatives.

(b) Analyses of your OSWI unit's impacts that are prepared to comply with state, local, or other Federal regulatory requirements may be used to satisfy the requirements of this section, provided they include the consideration of air pollution control alternatives specified in paragraph (a) of this section.

* * * * *

■ 15. Amend § 60.2905 by revising paragraph (b), paragraph (c) introductory text, and paragraphs (c)(1)(iv), (viii), and (x) to read as follows:

§ 60.2905 What are the operator training and qualification requirements?

* * * * *

(b) Operator training and qualification must be obtained through a state-approved program or by completing the requirements included in paragraph (c) of this section.

(c) Training must be obtained by completing an incinerator operator training course that includes, at a minimum, the three elements described in paragraphs (c)(1) through (3) of this section:

(1) * * *

(iv) Combustion controls and monitoring, including good combustion practices and waste characterization procedures.

* * * * *

(viii) Actions to prevent and correct malfunctions or to prevent and correct conditions that may lead to malfunction.

* * * * *

(x) Applicable Federal, state, and local regulations, including Occupational Safety and Health Administration workplace standards.

* * * * *

■ 16. Revise § 60.2906 to read as follows:

§ 60.2906 When must the operator training course be completed?

The operator training course must be completed by the latest of the dates specified in paragraphs (a) through (d) of this section.

(a) Six months after your OSWI unit startup date.

(b) December 29, 2025.

(c) The date before an employee assumes responsibility for operating the OSWI unit or assumes responsibility for supervising the operation of the OSWI unit.

■ 17. Revise § 60.2908(d) to read as follows:

§ 60.2908 How do I maintain my operator qualification?

* * * * *

(d) Prevention and correction of malfunctions or conditions that may lead to malfunction.

* * * * *

■ 18. Amend § 60.2910 by:

■ a. Revising paragraph (a) introductory text and paragraph (a)(4);

■ b. Adding paragraph (a)(10); and

■ c. Revising paragraph (c)(2).

The revisions and addition read as follows:

§ 60.2910 What site-specific documentation is required?

(a) Documentation must be available at the facility and readily accessible for all OSWI unit operators that addresses the ten topics described in paragraphs (a)(1) through (10) of this section. You must maintain this information and the training records required by paragraph (c) of this section in a manner that they can be readily accessed and are suitable for inspection upon request.

* * * * *

(4) Procedures for maintaining good combustion practices, including proper combustion air supply levels.

* * * * *

(10) Procedures for establishing initial and continuous compliance, including but not limited to, procedures to determine waste characterization.

* * * * *

(c) * * *

(2) Records showing the names of the OSWI unit operators who have completed the operator training requirements under § 60.2905, met the criteria for qualification under § 60.2907, and maintained or renewed their qualification under § 60.2908 or § 60.2909. Records must include documentation of training, the dates of the initial and refresher training, and the dates of their qualification and all subsequent renewals of such qualifications.

* * * * *

■ 19. Amend § 60.2911 by revising the introductory paragraph to read as follows:

§ 60.2911 What if all the qualified operators are temporarily not accessible?

For each batch OSWI unit, a qualified operator must always be accessible when the unit is operating. For each continuous OSWI unit or intermittent OSWI unit, if all qualified operators are temporarily not accessible (*i.e.,* not at the facility and not able to be at the facility within 1 hour), you must meet one of the three criteria specified in paragraphs (a) through (c) of this section, depending on the length of time that a qualified operator is not accessible.

* * * * *

■ 20. Revise § 60.2915 to read as follows:

§ 60.2915 What emission limitations must I meet and by when?

For OSWI units with initial startup before June 30, 2025, you must meet the emission limitations specified in table 1 to this subpart 60 days after your OSWI unit reaches the charge rate at which it will operate, but no later than 180 days after its initial startup. For OSWI units with capacities greater than 10 tons per day and with initial startup on or after June 30, 2025, you must meet the emissions limitations specified in table 1a to this subpart 60 days after your OSWI unit reaches the charge rate at which it will operate, but no later than 180 days after its initial startup. For very small municipal waste combustion units and institutional waste incineration units with capacities less than or equal to 10 tons per day with initial startup on or after June 30, 2025, you must meet the emission limitations specified in table 1b to this subpart 60 days after your OSWI unit reaches the charge rate at which it will operate, but no later than 180 days after its initial startup.

■ 21. Revise § 60.2916 to read as follows:

§ 60.2916 What operating limits must I meet and by when?

You must comply with the requirements in paragraphs (a) through (h) of this section, as applicable. If you own or operate a very small municipal waste combustion unit or institutional waste incineration unit using the substitute means of compliance demonstration under § 60.2929, the references in this section to the most recent performance test demonstrating compliance are not applicable and instead, refer to the limits established during the representative performance test identified in the information submitted as specified in § 60.2929(b).

(a) You must establish a maximum charge rate, calculated using the procedures in paragraph (a)(1) or (2) of this section, as appropriate.

(1) For continuous and intermittent units, maximum charge rate is the average charge rate measured during the most recent performance test demonstrating compliance with all applicable emission limitations.

(2) For batch units, maximum charge rate is the charge rate measured during the most recent performance test demonstrating compliance with all applicable emission limitations.

(b) You must establish a minimum combustion chamber operating temperature equal to the lowest 1-hour average combustion chamber operating temperature measured during the most recent performance test demonstrating compliance with all applicable emission limitations.

(c) If you use a wet scrubber to comply with the emission limitations, you must establish operating limits for the operating parameters as described in paragraphs (c)(1) through (3) of this section.

(1) Minimum pressure drop across the wet scrubber, which is calculated as the lowest 1-hour average pressure drop across the wet scrubber measured during the most recent performance test demonstrating compliance with the particulate matter emission limitations; or minimum amperage to the wet scrubber, which is calculated as the average amperage to the wet scrubber measured during the most recent performance test demonstrating compliance with the particulate matter emission limitations.

(2) Minimum scrubber liquor flow rate, which is calculated as the lowest 1-hour average liquor flow rate at the inlet to the wet scrubber measured during the most recent performance test demonstrating compliance with all applicable emission limitations.

(3) Minimum scrubber liquor pH, which is calculated as the lowest 1-hour average liquor pH at the outlet to the wet scrubber measured during the most recent performance test demonstrating compliance with the hydrogen chloride and sulfur dioxide emission limitations.

(d) If you use a dry scrubber to comply with the emission limitations, you must measure the injection rate of each sorbent during the performance test. The minimum operating limit for the injection rate of each sorbent is calculated as the lowest 1-hour average injection rate for each sorbent measured during the most recent performance test demonstrating compliance with the hydrogen chloride emission limitations.

(e) If you use an electrostatic precipitator to comply with the emission limitations, you must measure the (secondary) voltage and amperage of the electrostatic precipitator collection plates during the particulate matter performance test. Calculate the average electric power value (secondary voltage × secondary current = secondary electric power) for each test run. The minimum operating limit for the electrostatic precipitator is calculated as the lowest 1-hour average secondary electric power measured during the most recent performance test demonstrating compliance with the particulate matter emission limitations.

(f) If you use a fabric filter to comply with the emission limitations, you must operate each fabric filter system such that the bag leak detection system alarm does not sound more than 5 percent of the operating time during a 6-month period. Calculate the alarm time (*i.e.,* time that the alarm sounds) as specified in paragraphs (f)(1) and (2) of this section.

(1) If inspection of the fabric filter demonstrates that no corrective action is required, the alarm duration is not counted in the alarm time calculation.

(2) If corrective action is required and you take less than an hour to initiate corrective action, the alarm time is counted as 1 hour. If you take longer than 1 hour to initiate corrective action, the alarm time is counted as the actual amount of time taken to initiate corrective action.

(g) If you own or operate a very small municipal waste combustion unit or institutional waste incineration unit with capacity less than or equal to 10 tons per day and you demonstrate continuous compliance according to § 60.2932(d), you must establish the amount of waste burned in each waste category as a percentage of total waste burned on a mass basis. These percentages are your waste profile and must be based on the categories of waste fed to the incinerator (*e.g.,* food waste,

paper waste, wood waste) during the most recent performance test.

(h) You must meet the operating limits established during the initial or representative performance test no later than the date specified in paragraph (h)(1) or (2) of this section, as applicable.

(1) For each OSWI unit with a capacity greater than 10 tons per day or for each very small municipal waste combustion unit or institutional waste incineration unit with a capacity less than or equal to 10 tons per day for which you conduct an initial performance test under § 60.2927(a), within 60 days after your OSWI unit reaches the charge rate at which it will operate, but no later than 180 days after its initial startup.

(2) For each very small municipal waste combustion unit or institutional waste incineration unit for which you use the substitute means of compliance demonstration under § 60.2929, by the date you submit to the Administrator the information required in § 60.2929(b).

■ 22. Amend § 60.2917 by revising the section heading and the introductory text to read as follows:

§ 60.2917 What if I do not use a wet scrubber, dry scrubber, electrostatic precipitator, or fabric filter to comply with the emission limitations?

If you use an air pollution control device other than a wet scrubber, dry scrubber, electrostatic precipitator, or fabric filter to comply with the emission limitations under § 60.2915, you must petition the EPA Administrator for specific operating limits to be established during the performance test and then continuously monitored thereafter. Additionally, unless you demonstrate continuous compliance according to § 60.2932(d), if you limit emissions in some manner other than an add-on control device to comply with the emission limitations under § 60.2915, such as by material balance, then you must submit a petition for approval of your means of limiting your emissions. You must submit the petition at least 60 days before the performance test is scheduled to begin and not conduct the initial performance test until after the petition has been approved by the EPA. Your petition must include the five items listed in paragraphs (a) through (e) of this section.

* * * * *

§ 60.2918 [Removed and reserved].

■ 23. Remove and reserve § 60.2918.

■ 24. Revise and republish § 60.2922 to read as follows:

§ 60.2922 How do I conduct the initial and annual performance test?

(a) All performance tests must consist of a minimum of three test runs conducted under conditions representative of normal operations.

(b) All performance tests must be conducted using the methods in tables 1, 1a, and 1b to this subpart.

(c) All performance tests must be conducted using the minimum run duration specified in tables 1, 1a, and 1b to this subpart.

(d) EPA Method 1 of Appendix A to this part must be used to select the sampling location and number of traverse points.

(e) EPA Method 3A or 3B of Appendix A to this part or ASME/ANSI PTC 19.10–1981(incorporated by reference, see § 60.17), in lieu of EPA Method 3B, must be used for gas composition analysis, including measurement of oxygen concentration. EPA Method 3A or 3B of Appendix A to this part or ASME/ANSI PTC 19.10–1981 must be used simultaneously with each method.

(f) All pollutant concentrations, except for opacity, must be adjusted to 7 percent oxygen using Equation 1 to § 60.2975.

(g) EPA Method 26A of Appendix A to this part must be used for hydrogen chloride concentration analysis, with the additional requirements specified in paragraphs (g)(1) through (3) of this section.

(1) The probe and filter must be conditioned prior to sampling using the procedure described in paragraphs (g)(1)(i) through (iii) of this section.

(i) Assemble the sampling train(s) and conduct a conditioning run by collecting between 14 liters per minute (0.5 cubic feet per minute) and 30 liters per minute (1.0 cubic feet per minute) of gas over a one-hour period. Follow the sampling procedures outlined in section 8.1.5 of EPA Method 26A of Appendix A to this part. For the conditioning run, water can be used as the impinger solution.

(ii) Remove the impingers from the sampling train and replace with a fresh impinger train for the sampling run, leaving the probe and filter (and cyclone, if used) in position. Do not recover the filter or rinse the probe before the first run. Thoroughly rinse the impingers used in the preconditioning run with deionized water and discard these rinses.

(iii) The probe and filter assembly are conditioned by the stack gas and are not recovered or cleaned until the end of testing.

(2) For the duration of sampling, a temperature around the probe and filter (and cyclone, if used) between 120 °C (248 °F) and 134 °C (273 °F) must be maintained.

(3) If water droplets are present in the sample gas stream, the requirements specified in paragraphs (g)(3)(i) and (ii) of this section must be met.

(i) The cyclone described in section 6.1.4 of EPA Method 26A of Appendix A to this part must be used.

(ii) The post-test moisture removal procedure described in section 8.1.6 of EPA Method 26A of Appendix A to this part must be used.

■ 25. Revise § 60.2923 to read as follows:

§ 60.2923 How are the performance test data used?

You use results of performance tests to demonstrate compliance with the emission limitations in tables 1, 1a, and 1b to this subpart.

■ 26. Revise § 60.2927 to read as follows:

§ 60.2927 How do I demonstrate initial compliance with the emission limitations and establish the operating limits?

(a) Except as provided in paragraph (b) of this section, you must conduct an initial performance test, as required under § 60.8, to determine compliance with the emission limitations in table 1, 1a, or 1b to this subpart and to establish operating limits using the procedures in § 60.2916 or § 60.2917. The initial performance test must be conducted using the test methods listed in table 1, 1a, or 1b to this subpart and the procedures in § 60.2922. In the event of any conflict between § 60.8 and the provisions of this subpart, the provisions of this subpart shall apply.

(b) For very small municipal waste combustion units and institutional waste incineration units with a capacity less than or equal to 10 tons per day, you must demonstrate initial compliance according to paragraph (a) of this section, unless you comply with the requirements for the substitute means of compliance demonstration in § 60.2929.

(c) For each OSWI unit with a capacity greater than 10 tons per day, as an alternative to conducting a performance test under paragraph (a) of this section for carbon monoxide, you may use a 12-hour rolling average of the 1-hour arithmetic average CEMS data to determine compliance with the emission limitations in tables 1, 1a, and 1b to this subpart. The initial performance evaluation required by § 60.2940(b) must be conducted prior to collecting CEMS data that will be used for the initial compliance demonstration.

■ 27. Revise § 60.2928 to read as follows:

§ 60.2928 By what date must I conduct the initial performance test?

The initial performance test must be conducted within 60 days after your OSWI unit reaches the charge rate at which it will operate, but no later than 180 days after its initial startup. For units which start-up between August 31, 2020, and December 29, 2025, the initial performance test must be conducted within 60 days after your OSWI unit reaches the charge rate at which it will operate, but no later than 180 days after its initial startup, or by February 25, 2026, whichever date is later.

■ 28. Under the center heading ''Initial Compliance Requirements'', add § 60.2929 o read as follows:

§ 60.2929 What are the substitute means of compliance demonstration requirements for very small municipal waste combustion units and institutional waste incineration units with capacities less than or equal to 10 tons per day?

Instead of conducting the initial performance test in § 60.2927(a), very small municipal waste combustion units and institutional waste incineration units with capacities less than or equal to 10 tons per day may demonstrate initial compliance according to the requirements in paragraphs (a) through (d) of this section.

(a) You must submit the information specified in paragraph (a)(1) of this section and comply with the requirements of paragraph (a)(2) of this section for each very small municipal waste combustion unit or institutional waste incineration unit for which you are using a substitute means of compliance demonstration.

(1) On or before December 29, 2025 or within 60 days of startup, whichever is later, you must submit a written notification to the Administrator via CEDRI, which can be accessed through the EPA's Central Data Exchange (CDX) (*https://cdx.epa.gov),* that you intend to use the substitute means of compliance demonstration. Your submittal must include information on the design and operation of the OSWI unit, including the information in paragraphs (a)(1)(i) through (iv) of this section. Do not use CEDRI to submit information you claim as confidential business information (CBI). If you wish to assert a CBI claim, submit the information listed below following the procedures in paragraph (b)(3) of this section.

(i) Manufacturer, make, and model of the unit.

(ii) Type of unit (*e.g.,* burn barrel, incinerator with secondary chamber, etc.).

(iii) Capacity of the unit.

(iv) The anticipated waste profile, as defined in § 60.2977.

(2) Beginning on December 29, 2025 or upon initial startup, whichever is later, you must collect the data in paragraphs (a)(2)(i) through (vii) of this section. You must continue to collect the data in paragraphs (a)(2)(i) through (vii) of this section until you meet the requirements of paragraph (b) of this section.

(i) Identity and weight of each waste type (*e.g.,* lbs of paper waste, food waste, wood or yard waste) on a weekly total basis for the date range the information is collected.

(ii) Identity and quantities (*e.g.,* flow rate or percentage of operating time) of supplemental fuels burned on a weekly total basis for the date range the information is collected.

(iii) Percentage of total waste burned for each waste type on a weekly average basis for the date range the information is collected.

(iv) Temperature indicative of the combustion chamber and description of where temperature is measured. Record this information on a 3-hour rolling average basis for the date range the information is collected.

(v) Hours operated per day for the date range the information is collected.

(vi) Charge rate each day in tons per day for the date range the information is collected.

(vii) Operating parameter data for any air pollution control devices. For wet scrubbers, include pressure drop across the scrubber or amperage to the scrubber, scrubber liquor inlet flow rate, and scrubber liquor pH at the outlet of the scrubber. For dry scrubbers, include injection rate of each sorbent used. For electrostatic precipitators, include the secondary voltage, secondary amperage, and secondary power. Record this information on a 3-hour rolling average basis for the date range the information is collected.

(b) On or before the latest of March 30, 3027; 60 days after the very small municipal waste combustion unit or institutional waste incineration unit reaches the charge rate at which it will operate; or 180 days after initial startup, you must identify the results of a performance test in the EPA's WebFIRE database that is representative for your very small municipal waste combustion unit or institutional waste incineration unit using the criteria in paragraphs (b)(2)(i) through (viii) of this section and submit the information in paragraphs (b)(1) and (2) of this section. You must submit the information following the procedure in paragraph (b)(3) of this section. The performance test may be any test that meets the requirements in paragraph (c) of this section, regardless of location, that is representative of your OSWI unit.

(1) Identify the representative performance test used to demonstrate initial compliance with each very small municipal waste combustion unit or institutional waste incineration unit by submitting the information in paragraphs (b)(1)(i) through (vi) of this section as provided in the EPA's WebFIRE database for the performance test:

(i) Organization.

(ii) Facility.

(iii) City.

(iv) State.

(v) County.

(vi) Submission date.

(2) Describe how the test is representative for your OSWI unit, based on the following criteria, using the data submitted as specified in paragraph (a)(1) of this section and collected as specified in paragraph (a)(2) of this section:

(i) Unit design, including type of unit and any associated air pollution control devices.

(ii) Charge rate.

(iii) Type of operation (batch, continuous, intermittent).

(iv) Combustion temperature and location of temperature measurement.

(v) Type(s) of waste burned.

(vi) Waste profile, as defined in § 60.2977.

(vii) Type and amount of supplemental fuels.

(viii) Similarity of air pollution control devices and operation of the air pollution control devices, if the performance test was conducted on a unit with an air pollution control device.

(3) You must submit the information required in paragraphs (b)(1) and (2) of this section via CEDRI, which can be accessed through the EPA's Central Data Exchange (CDX) (*https://cdx.epa.gov/*). The EPA will make all the information submitted through CEDRI available to the public without further notice to you. Do not use CEDRI to submit information you claim as CBI. If you wish to assert a CBI claim, submit the information, including information claimed to be CBI, to the EPA following the procedures in paragraphs (b)(3)(i) and (ii) of this section. Clearly mark the part or all of the information that you claim as CBI. Information not marked as CBI may be authorized for public release without prior notice. Information marked as CBI will not be disclosed except in accordance with procedures set forth in 40 CFR part 2. All CBI claims must be asserted at the time of

submission. Anything submitted using CEDRI cannot later be claimed CBI. Furthermore, under CAA section 114(c), emissions data is not entitled to confidential treatment, and the EPA is required to make emissions data available to the public. Thus, emissions data will not be protected as CBI and will be made publicly available. You must submit the same file submitted to the CBI office with the CBI omitted to the EPA via the EPA's CDX as described earlier in this paragraph.

(i) The preferred method to receive CBI is for it to be transmitted electronically using email attachments, File Transfer Protocol, or other online file sharing services. Electronic submissions must be transmitted directly to the OAQPS CBI Office at the email address *oaqps_cbi@epa.gov,* and as described above, should include clear CBI markings and be flagged to the attention of the Other Solid Waste Incinerator Units Sector Lead. If assistance is needed with submitting large electronic files that exceed the file size limit for email attachments, and if you do not have your own file sharing service, please email *oaqps_cbi@epa.gov* to request a file transfer link.

(ii) If you cannot transmit the file electronically, you may send CBI information through the postal service to the following address: U.S. EPA, Attn: OAQPS Document Control Officer and Other Solid Waste Incinerator Units Sector Lead, Mail Drop: C404–02, 109 T.W. Alexander Drive, P.O. Box 12055, RTP, NC 27711. The mailed CBI material should be double wrapped and clearly marked. Any CBI markings should not show through the outer envelope.

(c) Any performance test used as a representative test in a substitute means of compliance demonstration under paragraph (b) of this section must be conducted following the initial testing requirements of § 60.2922 and demonstrate compliance with the emission limits in table 1b to this subpart. In addition to the results of the performance test and the information required by § 60.8(f)(2), the performance test report must contain the information in paragraphs (c)(1) through (8) of this section.

(1) Unit design, including type of unit and any associated air pollution control devices.

(2) Charge rate during the test.

(3) Type of operation (batch, continuous, intermittent).

(4) Combustion temperature and location of temperature measurement. The temperature must be recorded continuously for each run of the performance test. The performance test report must also identify the lowest 1-hour average combustion chamber operating temperature.

(5) Types of waste burned during the test.

(6) Waste profile, as defined in § 60.2977, established during the test.

(7) Type and amount of supplemental fuels burned during the test and the timeframe that each supplemental fuel was burned during the test.

(8) If the performance test was conducted on a unit with an air pollution control device, the operating parameter data for the control device must be recorded continuously for each run of the performance test. The performance test report must also identify the lowest or highest, as applicable, 1-hour average for the operating parameter.

(i) For wet scrubbers, the performance test report must include data for pressure drop across the scrubber or amperage to the scrubber, scrubber liquor inlet flow rate, and scrubber liquor pH at the outlet of the scrubber.

(ii) For dry scrubbers, the performance test report must include data for the injection rate of each sorbent used.

(iii) For electrostatic precipitators, the performance test report must include data for the secondary voltage, secondary amperage, and secondary power.

(d) If there are no results from a performance test that meet the requirements of paragraph (c) of this section that are representative of your OSWI unit, you must demonstrate initial compliance according to the requirements of § 60.2927(a).

■ 29. Revise § 60.2932 to read as follows:

§ 60.2932 How do I demonstrate continuous compliance with the emission limitations and the operating limits?

You must demonstrate continuous compliance according to the requirements in paragraphs (a) through (c) of this section, unless you own or operate a very small municipal waste combustion unit or institutional waste incineration unit with a capacity less than or equal to 10 tons per day. If you own or operate a very small municipal waste combustion unit or institutional waste incineration unit with a capacity less than or equal to 10 tons per day, you must either comply with the requirements in paragraphs (a) and (c) of this section or the requirements in paragraph (d) of this section.

(a) You must conduct an annual performance test for all pollutants in table 1, 1a, or 1b to this subpart for each OSWI unit to determine compliance with the emission limitations, except if you own or operate an OSWI unit with a capacity greater than 10 tons per day you are not required to conduct an annual performance test for carbon monoxide. The annual performance test must be conducted using the test methods listed in table 1, 1a, or 1b to this subpart and the procedures in § 60.2922.

(b) You must continuously monitor carbon monoxide emissions to determine compliance with the carbon monoxide emissions limitation. Twelve-hour rolling average values, including CEMS data during startup and shutdown as defined in this subpart, are used to determine compliance. A 12-hour rolling average value above the carbon monoxide emission limit in table 1, 1a, or 1b to this subpart constitutes a deviation from the emission limitation.

(c) You must continuously monitor the operating parameters specified in § 60.2916(a) through (f) or established under § 60.2917. Three-hour rolling average values are used to determine compliance with the operating limits, except for bag leak detection system alarm time, unless a different averaging period is established under § 60.2917. A 3-hour rolling average value (unless a different averaging period is established under § 60.2917) above the established maximum or below the established minimum operating limits constitutes a deviation from the established operating limits. For bag leak detection systems, an alarm time of more than 5 percent of the operating time during a 6-month period constitutes a deviation from the operating limit. Operating limits do not apply during performance tests.

(d) For each very small municipal waste combustion unit or institutional waste incineration unit with capacity less than or equal to 10 tons per day, unless you comply with the requirements in paragraphs (a) and (c) of this section, you must comply with the requirements in paragraphs (d)(1) through (3) of this section.

(1) You must maintain the percentage of waste burned in each waste category within +/− 15 percent of the percentage of total waste burned on a mass basis as established for that waste category according to the waste profile established under § 60.2916(g). You must demonstrate that the percentage of waste burned in each waste category is maintained within +/− 15 percent of the percentage of total waste burned on a mass basis as established for that waste category according to the waste profile established under § 60.2916(g) according to paragraphs (d)(1)(i) through (iii) of this section.

(i) At the end of each calendar quarter, you must determine the mass of waste burned in each waste category for that quarter. You must determine the total waste burned during the quarter by summing the quarterly totals for all the waste categories. You must then determine the amount of waste burned in each waste category as a percentage of the total waste burned on a mass basis by dividing the quarterly total in each waste category by the quarterly total waste burned.

(ii) You must also maintain records as required in § 60.2949(q).

(iii) The values calculated in (d)(1)(i) must be +/−15 percent of the percentage of total waste burned on a mass basis as established for that waste category according to the waste profile established under § 60.2916(g). Failure to maintain the percentage of waste burned in each waste category within +/−15 percent of the percentage established for that waste category in any calendar quarter constitutes a deviation.

(2) If you want to establish new operating parameter limits or establish a different waste profile, you must comply with § 60.2935(b).

(3) You must continuously monitor the operating parameters specified in § 60.2916(b) through (f), as applicable. The total daily charge rate is used to determine compliance with the charge rate limit in § 60.2916(a). For the operating parameters in § 60.2916(b) through (f), determine compliance as described in paragraph (d)(3)(i) or (ii) of this section. Failure to meet the operating parameters specified in § 60.2916(a) through (f) is a deviation.

(i) Three-hour rolling average values are used to determine compliance with the operating parameter limits, unless your OSWI unit operates on a batch basis and it is operated for less than three hours.

(ii) If your OSWI unit operates on a batch basis, and you operate for less than three hours, compliance with the operating parameter limits is determined by averaging the operating parameter over the length of the batch operation.

■ 30. Revise § 60.2933 to read as follows:

§ 60.2933 By what date must I conduct the annual performance test?

For each OSWI unit that is subject to the annual performance test requirement in § 60.2932(a), you must conduct an annual performance test no later than 14 calendar months following the initial performance test. Conduct subsequent annual performance tests no later than 14 calendar months following the previous annual performance test.

■ 31. Amend § 60.2934 by adding paragraph (d) to read as follows:

§ 60.2934 May I conduct performance testing less often?

* * * * *

(d) For very small municipal waste combustion units and institutional waste incineration units with capacities less than or equal to 10 tons per day demonstrating initial compliance following the substitute means of compliance demonstration requirements in § 60.2929, the requirements in paragraphs (a) through (c) of this section do not apply.

■ 32. Revise § 60.2935 to read as follows:

§ 60.2935 May I conduct a repeat performance test to establish new operating limits?

(a) Yes, you may conduct a repeat performance test at any time to establish new values for the operating limits. The Administrator may request a repeat performance test at any time.

(b) For each very small municipal waste combustion unit or institutional waste incineration unit for which you opt to demonstrate continuous compliance following the requirements in § 60.2932(d), if you want to establish new operating parameter limits or establish a different waste profile, you must comply with either paragraph (b)(1) or (2) of this section.

(1) You must conduct a new performance test of the unit using the test methods listed in table 1b to this subpart and the procedures in § 60.2922 with a waste stream representative of the new waste profile or under the new operating parameter limits.

(2) You must identify a representative performance test that meets the requirements in § 60.2929(c). You must submit the information in § 60.2929(b)(1) and (2) to the Administrator.

■ 33. Revise § 60.2939(a) to read as follows:

§ 60.2939 What continuous emission monitoring systems must I install?

(a) For each OSWI unit with a capacity greater than 10 tons per day, you must install, calibrate, maintain, and operate continuous emission monitoring systems for carbon monoxide and for oxygen. You must monitor the oxygen concentration at each location where you monitor carbon monoxide.

* * * * *

■ 34. Amend § 60.2940 by revising paragraphs (b) and (c) to read as follows:

§ 60.2940 How do I make sure my continuous emission monitoring systems are operating correctly?

* * * * *

(b) Complete your initial performance evaluation of the continuous emission monitoring systems within 60 days after your OSWI unit reaches the maximum load level at which it will operate, but no later than 180 days after its initial startup.

(c) For initial and annual performance evaluations, collect data concurrently (or within 30 to 60 minutes) using your carbon monoxide and oxygen continuous emission monitoring systems. To validate carbon monoxide concentration levels, use EPA Method 10, 10A, or 10B of Appendix A to this part. Use EPA Method 3A or 3B of Appendix A to this part or ASME/ANSI PTC 19.10–1981 (incorporated by reference, see § 60.17), in lieu of Method 3B, to measure oxygen. Collect the data during each initial and annual evaluation of your continuous emission monitoring systems following the applicable performance specifications in Appendix B to this part. Table 3 to this subpart shows the required span values and performance specifications that apply to each continuous emission monitoring system.

* * * * *

■ 35. Amend § 60.2942 by revising the section heading and paragraphs (a) and (f) to read as follows:

§ 60.2942 What is the minimum amount of monitoring data I must collect with my continuous emission monitoring systems?

(a) Where continuous emission monitoring systems are required, obtain 1-hour arithmetic averages. Except for CEMS data during startup and shutdown, as defined in this subpart, the 1-hour arithmetic averages for carbon monoxide must be expressed in parts per million by dry volume corrected to 7 percent oxygen. The CEMS data during startup and shutdown are not corrected to 7 percent oxygen and are measured at stack oxygen content. Use the 1-hour averages of oxygen data from your CEMS to determine the actual oxygen level and to calculate emissions at 7 percent oxygen. Use Equation 2 in § 60.2975 to calculate the 12-hour rolling averages from the 1-hour arithmetic averages.

* * * * *

(f) If continuous emission monitoring systems are temporarily unavailable to meet the data collection requirements, refer to table 3 to this subpart. It shows alternate methods for collecting data when systems malfunction or when repairs, calibration checks, or zero and span checks keep you from collecting

the minimum amount of data. Failure to collect required data is a deviation of the monitoring requirements.

■ 36. Revise § 60.2944 to read as follows:

§ 60.2944 What operating parameter monitoring equipment must I install, or what operating parameters must I monitor?

(a) You must install, calibrate (to manufacturers' specifications at the frequency recommended by the manufacturer), maintain, and operate devices (or establish methods) for monitoring the value of the operating parameters used to determine compliance with the operating limits listed in table 2 to this subpart, as applicable. These devices (or methods) must measure and record the values for these operating parameters at the frequencies indicated in table 2 to this subpart at all times. The devices must be positioned to provide a representative measurement of the parameter monitored.

(b) You must install, calibrate (to manufacturers' specifications), maintain, and operate a device or method for measuring the use of any stack that could be used to bypass the control device. The measurement must include the date, time, and duration of the use of the bypass stack.

(c) If you are using a fabric filter to comply with the requirements of this subpart, you must install, calibrate, maintain, and continuously operate a bag leak detection system as specified in paragraphs (c)(1) through (8) of this section:

(1) You must install and operate a bag leak detection system for each exhaust stack of the fabric filter. The bag leak sensor(s) must be installed in a position(s) that will be representative of the relative or absolute particulate matter loadings for each exhaust stack, roof vent, or compartment of the fabric filter;

(2) Each bag leak detection system must be installed, operated, calibrated, and maintained in a manner consistent with the manufacturer's written specifications and recommendations; and in accordance with the guidance provided in EPA–454/R–98–015 (incorporated by reference, see § 60.17);

(3) The bag leak detection system must be certified by the manufacturer to be capable of detecting particulate matter emissions at concentrations of 1 milligrams per actual cubic meter or less;

(4) The bag leak detection system sensor must provide output of relative or absolute particulate matter loadings;

(5) The bag leak detection system must be equipped with a device to continuously record the output signal from the sensor;

(6) The bag leak detection system must be equipped with an alarm system that will automatically alert an operator when an increase in relative particulate matter emissions over a preset level is detected. The alarm must be located where it is observed easily by operating personnel;

(7) For positive pressure fabric filter systems, a bag leak detection system must be installed in each baghouse compartment or cell. For negative pressure or induced air fabric filters, the bag leak detector must be installed downstream of the fabric filter; and

(8) Where multiple detectors are required, the system's instrumentation and alarm may be shared among detectors.

(d) If you are required to petition the EPA for operating limits under § 60.2917, you must install, calibrate (to the manufacturers' specifications), maintain, and operate the equipment necessary to monitor compliance with the site-specific operating limits established using the procedures in § 60.2917.

■ 37. Amend § 60.2949 by revising the introductory paragraph, paragraphs (b) through (e), and (g), and adding paragraphs (p), (q) and (r) to read as follows:

§ 60.2949 What records must I keep?

You must maintain the information specified in paragraphs (a) through (r) of this section, as applicable, for a period of at least 5 years.

* * * * *

(b) Records of the data described in paragraphs (b)(1) through (10) of this section.

(1) The OSWI unit charge dates, times, weights, and total daily charge rates.

(2) The combustion chamber operating temperature every 15 minutes of operation.

(3) For each OSWI unit with a wet scrubber, the liquor flow rate to the wet scrubber inlet, pressure drop across the wet scrubber system or amperage to the wet scrubber, and liquor pH at the outlet of the wet scrubber, every 15 minutes of operation.

(4) For each OSWI unit with a dry scrubber, the injection rate of each sorbent, every 15 minutes of operation.

(5) For each OSWI unit with an electrostatic precipitator, the secondary voltage, secondary current, and secondary electric power, every 15 minutes of operation.

(6) For each OSWI unit with a fabric filter, the date, time, and duration of each alarm; the times corrective action was initiated and completed; and a brief description of the cause of the alarm and the corrective action taken. You must also record the percent of the operating time during each 6-month period that the alarm sounds, calculated as specified in § 60.2916(f).

(7) For OSWI units that establish operating limits for controls under § 60.2917, you must maintain data collected for all operating parameters used to determine compliance with the operating limits.

(8) For OSWI units that use a carbon monoxide CEMS, all 1-hour average concentrations of carbon monoxide and oxygen.

(9) All 12-hour rolling average values of carbon monoxide emissions, corrected to 7 percent oxygen (except during periods of startup and shutdown), all 3-hour rolling average values of continuously monitored operating parameters, and total daily charge rates, as applicable.

(10) Records of the dates, times, and durations of any bypass of the control device.

(c) Records of the start date and time and duration in hours of each malfunction of operation (*i.e.,* process equipment) or the air pollution control and monitoring equipment, and description of the malfunction.

(d) Records of actions taken during periods of malfunction to minimize emissions in accordance with § 60.11(d), including corrective actions to restore malfunctioning process and air pollution control and monitoring equipment to its normal or usual manner of operation.

(e) Start date, start time, and duration in hours for each period for which monitoring data show a deviation from the carbon monoxide emissions limit in table 1, 1a, or 1b to this subpart, a deviation from the operating limits in table 2 to this subpart, or a deviation from other operating limits established under § 60.2917. Include a description of the deviation, reasons for the deviation, and a description of corrective actions taken. You must record the start date, start time, and duration in hours for each period when all qualified operators were not accessible in accordance with § 60.2911.

* * * * *

(g) For carbon monoxide continuous emissions monitoring systems, document the results of your annual performance evaluations, daily drift tests and quarterly accuracy determinations according to Procedure 1 of Appendix F to this part.

* * * * *

(p) If you comply with the substitute means of compliance demonstration requirements in § 60.2929, you must keep the records specified in paragraphs (p)(1) through (4) of this section.

(1) Copy of the notification submitted to the Administrator that you intend to use the substitute means of compliance demonstration as required in § 60.2929(a)(1).

(2) Records of the data collected as required in § 60.2929(a)(2).

(3) Copy of the representative performance test used to demonstrate initial compliance; and

(4) Documentation of how the test in paragraph (p)(3) of this section is representative of the unit as required in § 60.2929(b)(2).

(q) If you comply with the continuous compliance requirements of § 60.2932(d), you must keep records of the following elements:

(1) Start and end times the unit is operated when waste is being combusted.

(2) Total mass of waste burned for each waste category (*i.e.,* identity and weight of each waste category such as solid waste, food waste, wood or yard waste), summed for each calendar quarter.

(3) Total mass of waste burned each calendar quarter.

(4) The amount of waste burned in each waste category as a percentage of total waste burned each calendar quarter.

(5) Waste profile established under § 60.2916(g).

(6) Temperature of unit combustion chamber and description of where temperature is measured, as a 3-hour average for each batch operation.

(7) Charge rate (in tons per day) of each operation.

(8) For each very small municipal waste combustion unit or institutional waste incineration unit with a capacity less than or equal to 10 tons per day using a wet scrubber, dry scrubber, electrostatic precipitator, or fabric filter, the records specified in paragraphs (b)(3) through (10) of this section, as applicable.

(9) For each calendar quarter, you must record whether your waste profile meets the requirement in paragraph § 60.2932(d)(1)(iii).

(r) Copies of any notifications submitted pursuant to §§ 60.2887 and 60.2969.

■ 38. Amend § 60.2954 by revising the introductory paragraph and adding paragraph (c) to read as follows:

§ 60.2954 What information must I submit following my initial performance test?

Unless you choose to comply with the substitute means of compliance demonstration requirements in § 60.2929, you must submit the information specified in paragraphs (a) and (b) of this section no later than 60 days following the initial performance test. All reports must be signed by the facilities manager.

* * * * *

(c) The waste management plan, as specified in §§ 60.2899 through 60.2901.

■ 39. Revise § 60.2955 to read as follows:

§ 60.2955 When must I submit my annual report?

You must submit an annual report no later than 12 months following the submission of the information in § 60.2954, unless you choose to comply with the substitute means of compliance demonstration requirements in § 60.2929. If you choose to comply with the substitute means of compliance demonstration requirements in § 60.2929, you must submit an annual report no later than 12 months following the submission of the information in § 60.2929(b). You must submit subsequent reports no more than 12 months following the previous report. The permit will address the submittal of annual reports for a unit with an operating permit required under title V of the Clean Air Act.

■ 40. Revise and republish § 60.2956 to read as follows:

§ 60.2956 What information must I include in my annual report?

The annual report required under § 60.2955 must include the items listed in paragraphs (a) through (k) of this section. If you have a deviation from the operating limits or the emission limitations, you must also submit deviation reports as specified in §§ 60.2957 through 60.2959.

(a) Company name and address.

(b) Statement by the owner or operator, with their name, title, and signature, certifying the truth, accuracy, and completeness of the report. Such certifications must also comply with the requirements of 40 CFR 70.5(d) or 40 CFR 71.5(d). If your report is submitted via CEDRI, the certifier's electronic signature during the submission process replaces this requirement.

(c) Date of report and beginning and ending dates of the reporting period. You are no longer required to provide the date of report when the report is submitted via CEDRI.

(d) Identification of each OSWI unit, and for each OSWI unit, the parameters monitored and values for the operating limits established pursuant to § 60.2916 or § 60.2917.

(e) If no deviations from any emission limitation or operating limit that applies to you have occurred during the annual reporting period, a statement that there were no deviations from the emission limitations or operating limits during the reporting period. If you use a CMS to monitor emissions or operating parameters and there were no periods during which any CMS was inoperative, inactive, malfunctioning or out of control, a statement that no monitoring system used to determine compliance with the emission limitations or operating limits was inoperative, inactive, malfunctioning or out of control.

(f) The highest recorded 12-hour average and the lowest recorded 12-hour average, as applicable, for carbon monoxide emissions if you are using a CEMS to demonstrate continuous compliance and the highest recorded 3-hour average and the lowest recorded 3-hour average, as applicable, for each operating parameter recorded for the calendar year being reported.

(g) [Reserved].

(h) If a performance test was conducted during the reporting period, identification of the OSWI unit tested, the pollutant(s) tested, and the date of the performance test. Submit, following the procedure specified in § 60.2961(b), the performance test report no later than the date that you submit the annual report.

(i) If you met the requirements of § 60.2934(a) or (b) and did not conduct a performance test during the reporting period, you must state that you met the requirements of § 60.2934(a) or (b), and, therefore, you were not required to conduct a performance test during the reporting period.

(j) The start date, start time, and duration in hours for each period of operation when all qualified OSWI unit operators were unavailable for more than 12 hours, but less than 2 weeks.

(k) If you are complying with the continuous compliance requirements in § 60.2932(d) and have had no deviations from maintaining the percentage of waste burned in each waste category within +/− 15 percent of the percentage established for that waste category for each calendar quarter for the reporting period, and the OSWI unit has been operated within the operating parameter limits established during the representative performance test identified in the information submitted as required in § 60.2929(b) or the performance test conducted by the source using the test methods listed in table 1b to this subpart and the procedures in § 60.2922, a statement that there were no deviations from the

percentage of waste burned in each category and the OSWI unit has been operated within the established operating parameter limits.

■ 41. Amend § 60.2957 by revising the section heading and paragraph (a) to read as follows:

§ 60.2957 What other reports must I submit if I have a deviation?

(a) You must submit a deviation report as specified in paragraphs (a)(1) through (3) of this section:

(1) If your OSWI unit fails to meet any requirement or obligation established by this subpart, including but not limited to any emission limitation, operating limit, or operator qualification and accessibility requirements.

(2) If your OSWI unit fails to meet any term or condition that is adopted to implement an applicable requirement in this subpart and that is included in the operating permit for any unit that meets the requirements in § 60.2885 and is required to obtain such a permit.

(3) If you deviate from the requirements to have a qualified operator accessible as specified in § 60.2911, you must meet the requirements of § 60.2959.

* * * * *

■ 42. Revise § 60.2958 to read as follows:

§ 60.2958 What must I include in the deviation report?

In each report required under § 60.2957, you must include the company name and address and the beginning and ending dates for the reporting period. For any pollutant or operating parameter that deviated from the emission limitations, operating limits or other requirement specified in this subpart, or for each CMS that experienced downtime or was out of control, include the items described in paragraphs (a) through (g) of this section, as applicable. If you are complying with the continuous compliance requirements in § 60.2932(d), you must also include the items described in paragraphs (h) and (i) of this section. You must identify the OSWI unit, and as applicable, the CMS, associated with the information required in paragraphs (a) through (i) of this section in your deviation report.

(a) Identification of the emission limit, operating parameter or other requirement except as provided in paragraphs (h) and (i), from which there was a deviation and the start date, start time, and duration in hours of each deviation.

(b) For each deviation identified in paragraph (a) of this section, the averaged and recorded data for those date, including, when applicable, the information recorded under § 60.2949(b)(9) and (c) through (e) for the calendar period being reported.

(c) For each deviation identified in paragraph (a) of this section, the cause of each deviation from the emission limitations, operating limits or other requirement and your corrective actions.

(d) For each CMS, the start date, start time, duration in hours, and cause for each instance of monitor downtime (other than downtime associated with zero, span, and other routine calibration checks).

(e) For each CMS, the start date, start time, duration in hours, and corrective action taken for each instance that the monitor is out of control.

(f) The start date, start time, and duration in hours of any bypass of the control device and your corrective actions.

(g) For batch OSWI units, the start date, start time, and duration in hours of any deviation from the requirements to have a qualified operator accessible as required in § 60.2911.

(h) If you are complying with the continuous compliance requirements for OSWI units in § 60.2932(d), you must identify each calendar quarter when your waste profile did not meet the requirements in § 60.2932(d)(1)(iii). For each deviation, you must identify each waste category that did not meet the percentage requirements, the established percentage of total waste burned on a mass basis for that waste category in your waste profile, and the actual percentage of total waste burned on a mass basis for that waste category during the calendar quarter.

(i) If you are complying with the continuous compliance requirements in § 60.2932(d), for each deviation of an operating parameter limit, identification of the operating parameter from which there was a deviation and the start date, start time, duration in hours, and cause for each deviation from the operating parameter limits established during the representative performance test identified in the information submitted as required in § 60.2929(b) or a performance test of the unit conducted using the test methods listed in table 1b to this subpart and the procedures in § 60.2922 as required in § 60.2927(a) or § 60.2935(b).

■ 43. Revise § 60.2961 to read as follows:

§ 60.2961 In what form can I submit my reports?

(a) You must submit annual and deviation reports electronically or in paper format, postmarked on or before the submittal due dates. Beginning on June 30, 2026, or once the report template for this subpart has been available on the Compliance and Emissions Data Reporting Interface (CEDRI) website (*https://www.epa.gov/electronic-reporting-air-emissions/cedri*) for one year, whichever date is later, you must submit all subsequent annual compliance reports and deviation reports using the appropriate electronic report template on the CEDRI website for this subpart and following the procedure specified in paragraph (c) of this section. The date report templates become available will be listed on the CEDRI website. Unless the Administrator or delegated state agency or other authority has approved a different schedule for submission of reports, the report must be submitted by the deadline specified in this subpart, regardless of the method in which the report is submitted.

(b) Beginning on December 29, 2025, within 60 days after the date of completing each performance test or CEMS performance evaluation that includes a relative accuracy test audit (RATA) required by this subpart, you must submit the results following the procedures specified in paragraph (c) of this section. You must submit the report in a file format generated using the EPA's Electronic Reporting Tool (ERT). Alternatively, you may submit an electronic file consistent with the extensible markup language (XML) schema listed on the EPA's ERT website (*https://www.epa.gov/electronic-reporting-air-emissions/electronic-reporting-tool-ert*) accompanied by the other information required by § 60.8(f)(2) in portable document format (PDF). If your performance test consists solely of opacity measurements, the results do not need to be submitted in the format generated by the ERT. Instead, you may submit a PDF of the results of the opacity measurements to the EPA via CEDRI.

(c) If you are required to submit reports following the procedure specified in this paragraph (c), you must submit reports to the EPA via CEDRI, which can be accessed through the EPA's Central Data Exchange (CDX) (*https://cdx.epa.gov/*). The EPA will make all the information submitted through CEDRI available to the public without further notice to you. Do not use CEDRI to submit information you claim as CBI. Although we do not expect persons to assert a claim of CBI, if you wish to assert a CBI claim for some of the information in the report, you must submit a complete file in the format specified in this subpart, including information claimed to be CBI, to the EPA following the

procedures in paragraphs (c)(1) and (2) of this section. Clearly mark the part or all of the information that you claim to be CBI. Information not marked as CBI may be authorized for public release without prior notice. Information marked as CBI will not be disclosed except in accordance with procedures set forth in 40 CFR part 2. All CBI claims must be asserted at the time of submission. Anything submitted using CEDRI cannot later be claimed CBI. Furthermore, under CAA section 114(c), emissions data is not entitled to confidential treatment, and the EPA is required to make emissions data available to the public. Thus, emissions data will not be protected as CBI and will be made publicly available. You must submit the same file submitted to the CBI office with the CBI omitted to the EPA via the EPA's CDX as described earlier in this paragraph (c).

(1) The preferred method to receive CBI is for it to be transmitted electronically using email attachments, File Transfer Protocol, or other online file sharing services. Electronic submissions must be transmitted directly to the OAQPS CBI Office at the email address *oaqps_cbi@epa.gov,* and as described above, should include clear CBI markings. ERT files should be flagged to the attention of the Group Leader, Measurement Policy Group; all other files should be flagged to the attention of the Other Solid Waste Incinerator Units Sector Lead. If assistance is needed with submitting large electronic files that exceed the file size limit for email attachments, and if you do not have your own file sharing service, please email *oaqps_cbi@epa.gov* to request a file transfer link.

(2) If you cannot transmit the file electronically, you may send CBI information through the postal service to the following address: U.S. EPA, Attn: OAQPS Document Control Officer, Mail Drop: C404–02, 109 T.W. Alexander Drive, P.O. Box 12055, RTP, NC 27711. In addition to the OAQPS Document Control Officer, ERT files should also be sent to the attention of the Group Leader, Measurement Policy Group, and all other files should also be sent to the attention of the Other Solid Waste Incinerator Units Sector Lead. The mailed CBI material should be double wrapped and clearly marked. Any CBI markings should not show through the outer envelope.

(d) If you are required to electronically submit a report through CEDRI in the EPA's CDX, you may assert a claim of EPA system outage for failure to timely comply with the reporting requirement. To assert a claim of EPA system outage, you must meet the requirements outlined in paragraphs (d)(1) through (7) of this section.

(1) You must have been or will be precluded from accessing CEDRI and submitting a required report within the time prescribed due to an outage of either the EPA's CEDRI or CDX systems.

(2) The outage must have occurred within the period beginning five business days prior to the date that the submission is due.

(3) The outage may be planned or unplanned.

(4) You must submit notification to the Administrator in writing as soon as possible following the date you first knew, or through due diligence should have known, that the event may cause or has caused a delay in reporting.

(5) You must provide to the Administrator a written description identifying:

(i) The date(s) and time(s) when CDX or CEDRI was accessed and the system was unavailable;

(ii) A rationale for attributing the delay in reporting beyond the regulatory deadline to EPA system outage;

(iii) A description of measures taken or to be taken to minimize the delay in reporting; and

(iv) The date by which you propose to report, or if you have already met the reporting requirement at the time of the notification, the date you reported.

(6) The decision to accept the claim of EPA system outage and allow an extension to the reporting deadline is solely within the discretion of the Administrator.

(7) In any circumstance, the report must be submitted electronically as soon as possible after the outage is resolved.

(e) If you are required to electronically submit a report through CEDRI in the EPA's CDX, you may assert a claim of force majeure for failure to timely comply with the reporting requirement. To assert a claim of force majeure, you must meet the requirements outlined in paragraphs (e)(1) through (5) of this section.

(1) You may submit a claim if a force majeure event is about to occur, occurs, or has occurred or there are lingering effects from such an event within the period beginning five business days prior to the date the submission is due. For the purposes of this section, a force majeure event is defined as an event that will be or has been caused by circumstances beyond the control of the affected facility, its contractors, or any entity controlled by the affected facility that prevents you from complying with the requirement to submit a report electronically within the time prescribed. Examples of such events are acts of nature (*e.g.,* hurricanes, earthquakes, or floods), acts of war or terrorism, or equipment failure or safety hazard beyond the control of the affected facility (*e.g.,* large scale power outage).

(2) You must submit notification to the Administrator in writing as soon as possible following the date you first knew, or through due diligence should have known, that the event may cause or has caused a delay in reporting.

(3) You must provide to the Administrator:

(i) A written description of the force majeure event;

(ii) A rationale for attributing the delay in reporting beyond the regulatory deadline to the force majeure event;

(iii) A description of measures taken or to be taken to minimize the delay in reporting; and

(iv) The date by which you propose to report, or if you have already met the reporting requirement at the time of the notification, the date you reported.

(4) The decision to accept the claim of force majeure and allow an extension to the reporting deadline is solely within the discretion of the Administrator.

(5) In any circumstance, the reporting must occur as soon as possible after the force majeure event occurs.

§ 60.2970 [Amended]

■ 44. Amend § 60.2970 by removing and reserving paragraph (b) to read as follows:

■ 45. Revise § 60.2971(b) to read as follows:

§ 60.2971 What are the emission limitations for air curtain incinerators that burn only wood waste, clean lumber, and yard waste?

* * * * *

(b) The limitations in paragraph (a) of this section apply at all times.

■ 46. Revise § 60.2972(a) to read as follows:

§ 60.2972 How must I monitor opacity for air curtain incinerators that burn only wood waste, clean lumber, and yard waste?

(a) Use EPA Method 9 of Appendix A to this part or ASTM D7520–16 (incorporated by reference, see § 60.17), to determine compliance with the opacity limitation.

* * * * *

■ 47. Revise § 60.2973(e) to read as follows:

§ 60.2973 What are the recordkeeping and reporting requirements for air curtain incinerators that burn only wood waste, clean lumber, and yard waste?

* * * * *

(e) Before December 29, 2025, submit initial and annual opacity test reports as electronic or paper copy on or before the applicable submittal date. On and after December 29, 2025, within 60 days after the date of completing the initial opacity test and each annual opacity test required by this subpart, you must submit the results of the opacity test following the procedures specified in § 60.2961(b).

* * * * *

■ 48. Revise § 60.2975(d) to read as follows:

§ 60.2975 What equations must I use?

* * * * *

(d) *Carbon monoxide pollutant rate.* When hourly average pollutant rates (E_h) are obtained (*e.g.,* CEMS values), compute the rolling average carbon monoxide pollutant rate (E_a) for each 12-hour period using the following equation:

Equation 2 to Paragraph (d)

$$E_a = \frac{1}{12}\sum_{j=1}^{12} E_{hj} \qquad \text{(Eq. 2)}$$

Where:

E_a = Average carbon monoxide pollutant rate for the 12-hour period, parts per million (ppm) corrected to 7 percent O_2. Note that a 12-hour period may include CEMS data during startup and shutdown, as defined in the subpart, in which case the period will not consist entirely of data that have been corrected to 7 percent O_2.

E_{hj} = Hourly arithmetic average pollutant rate for hour ''j,'' ppm corrected to 7 percent O_2. CEMS data during startup and shutdown, as defined in the subpart, are not corrected to 7 percent oxygen, and are measured at stack oxygen content.

■ 49. Amend § 60.2977 by:
■ a. Revising the definition of ''Administrator'';
■ b. Adding the definition of ''CEMS data during start up and shutdown'';
■ c. Removing the definition of ''Collected from'';
■ d. Revising the definitions of ''Deviation'', ''Low-level radioactive waste'', ''Modification or modified unit'', ''Particulate matter'', and ''Reconstruction'';
■ e. Adding the definitions of ''Rudimentary combustion device'', and ''Small remote incinerator'';
■ f. Revising the definition of ''Very small municipal waste combustion unit''; and
■ g. Adding the definition of ''Waste profile''.

The revisions and additions read as follows:

§ 60.2977 What definitions must I know?

* * * * *

Administrator means:

(1) For approved and effective state section 111(d)/129 plans, the Director of the state air pollution control agency, or his or her delegate;

(2) For Federal section 111(d)/129 plans, the Administrator of the EPA, an employee of the EPA, the Director of the state air pollution control agency, or employee of the state air pollution control agency to whom the authority has been delegated by the Administrator of the EPA to perform the specified task; and

(3) For NSPS, the Administrator of the EPA, an employee of the EPA, the Director of the state air pollution control agency, or employee of the state air pollution control agency to whom the authority has been delegated by the Administrator of the EPA to perform the specified task.

* * * * *

CEMS data during startup and shutdown means CEMS data collected during the first hours of a OSWI startup from a cold start until waste is fed to the unit and the hours of operation following the cessation of waste material being fed to the OSWI during a unit shutdown. For each startup event, the length of time that CEMS data may be claimed as being CEMS data during startup must be 48 operating hours or less. For each shutdown event, the length of time that CEMS data may be claimed as being CEMS data during shutdown must be 24 operating hours or less.

* * * * *

Deviation means any instance in which a unit that meets the requirements in § 60.2885, or an owner or operator of such a source:

(1) Fails to meet any requirement or obligation established by this subpart, including but not limited to any emission limitation, operating limit, or operator qualification and accessibility requirements; and

(2) Fails to meet any term or condition that is adopted to implement an applicable requirement in this subpart and that is included in the operating permit for any unit that meets the requirements in § 60.2885 and is required to obtain such a permit.

* * * * *

Low-level radioactive waste means waste material that contains radioactive nuclides emitting primarily beta or gamma radiation, or both, in concentrations or quantities that exceed applicable Federal or state standards for unrestricted release. Low-level radioactive waste is not high-level radioactive waste, spent nuclear fuel, or byproduct material as defined by the Atomic Energy Act of 1954 (42 U.S.C. 2014(e)(2)).

* * * * *

Modification or modified unit means an incineration unit that meets one of two criteria:

(1) The cumulative cost of the changes over the life of the unit exceeds 50 percent of the original cost of building and installing the unit (not including the cost of land) updated to current costs (current dollars). For an OSWI unit, to determine what systems are within the boundary of the unit used to calculate these costs, see the definition of OSWI unit.

(2) Any physical change in the unit or change in the method of operating it that increases the amount of any air pollutant emitted for which section 129 or section 111 of the Clean Air Act has established standards.

* * * * *

Particulate matter means total particulate matter emitted from OSWI units as measured by EPA Method 5 or EPA Method 29 of Appendix A to this part.

* * * * *

Reconstruction means rebuilding an incineration unit where the cumulative cost of the construction over the life of the incineration unit exceeds 50 percent of the original cost of building and installing the unit (not including land) updated to current costs (current dollars). For an OSWI unit, to determine what systems are within the boundary of the unit used to calculate these costs, see the definition of OSWI unit.

* * * * *

Rudimentary combustion device means a combustion device with capacity less than or equal to 10 tons per day that is designed and constructed without one or more of the following elements: (1) a stack, chimney, or pipe designed for the purpose of discharging flue gases from combustion; (2) mechanical draft to provide airflow; (3) burners designed to initiate and/or assist the combustion process, including burners designed to burn supplementary fuel; or (4) an ancillary power supply to operate.

* * * * *

Small remote incinerator means an incinerator that combusts 3 tons per day or less of municipal-type solid waste and is more than 25 miles driving distance to the nearest municipal solid waste landfill.

* * * * *

Very small municipal waste combustion unit means any municipal waste combustion unit and small remote incinerator, as defined in this subpart,

that has the capacity to combust less than 35 tons per day of municipal solid waste or refuse-derived fuel, as determined by the calculations in § 60.2975. As of December 29, 2025 small remote incinerators are considered very small municipal waste combustion units.

* * * * *

Waste profile means, for a very small municipal waste combustion unit or institutional waste incineration unit with a capacity less than or equal to 10 tons per day, the amount of each waste category burned as a percentage of total waste burned on a mass basis.

* * * * *

■ 50. Revise table 1 to subpart EEEE of part 60 to read as follows:

Table 1 to Subpart EEEE of Part 60—Emission Limitations for OSWI Units That Commenced Construction on or Before August 31, 2020

As stated in § 60.2915, you must comply with the following:

For the air pollutant	You must meet this emission limitation [a]	Using this averaging time	And determining compliance using this method
1. Cadmium	18 micrograms per dry standard cubic meter.	3-run average (1 hour minimum sample time per run).	Method 29 of Appendix A to this part.
2. Carbon monoxide	40 parts per million by dry volume.	3-run average (1 hour minimum sample time per run during performance test), and 12-hour rolling averages measured using CEMS [b].	Method 10, 10A, or 10B of Appendix A to this part and CEMS.
3. Dioxins/furans (total basis).	33 nanograms per dry standard cubic meter.	3-run average (1 hour minimum sample meter time per run).	Method 23 of Appendix A to this part.
4. Hydrogen chloride	15 parts per million by dry volume.	3-run average (1 hour minimum sample time per run).	Method 26A of Appendix A to this part.
5. Lead	226 micrograms per dry standard cubic meter.	3-run average (1 hour minimum sample time per run).	Method 29 of Appendix A to this part.
6. Mercury	74 micrograms per dry standard cubic meter.	3-run average (1 hour minimum sample time per run).	Method 29 of Appendix A to this part.
7. Opacity	10 percent	6-minute average (observe over three 1-hour test runs; *i.e.,* thirty 6-minute averages).	Method 9 of Appendix A to this part, or ASTM D7520–16 (incorporated by reference (IBR), see § 60.17) if the following conditions are met: 1. During the digital camera opacity technique (DCOT) certification procedure outlined in Section 9.2 of ASTM D7520–16, you or the DCOT vendor must present the plumes in front of various backgrounds of color and contrast representing conditions anticipated during field use such as blue sky, trees, and mixed backgrounds (clouds and/or a sparse tree stand). 2. You must also have standard operating procedures in place including daily or other frequency quality checks to ensure the equipment is within manufacturing specifications as outlined in Section 8.1 of ASTM D7520–16. 3. You must follow the recordkeeping procedures outlined in § 63.10(b)(1) of this subchapter for the DCOT certification, compliance report, data sheets, and all raw unaltered JPEGs used for opacity and certification determination. 4. You or the DCOT vendor must have a minimum of four independent technology users apply the software to determine the visible opacity of the 300 certification plumes. For each set of 25 plumes, the user may not exceed 15 percent opacity of any one reading and the average error must not exceed 7.5 percent opacity.
8. Oxides of nitrogen	103 parts per million by dry volume.	3-run average (1 hour minimum sample time per run).	Method 7, 7A, 7C, 7D, or 7E of Appendix A to this part, or ASME/ANSI PTC 19.10–1981 (IBR, see § 60.17) in lieu of Methods 7 and 7C only.
9. Particulate matter	0.013 grains per dry standard cubic foot.	3-run average (1 hour minimum sample time per run).	Method 5 or 29 of Appendix A to this part.
10. Sulfur dioxide	3.1 parts per million by dry volume.	3-run average (1 hour minimum sample time per run).	Method 6 or 6C of Appendix A to this part, or ASME/ANSI PTC 19.10–1981 (IBR, see § 60.17) in lieu of Method 6 only.

[a] All emission limitations (except for opacity and CEMS data during startup and shutdown) are measured at 7 percent oxygen, dry basis at standard conditions. CEMS data during startup and shutdown are measured at stack oxygen content.
[b] Calculated each hour as the average of the previous 12 operating hours.

■ 51. Add tables 1a and 1b to subpart EEEE of part 60 to read as follows:

Table 1a to Subpart EEEE of Part 60—Emission Limitations for OSWI Units With Capacities Greater Than 10 Tons per Day That Commenced Construction After August 31, 2020 or Commenced Reconstruction or Modification on or After December 29, 2025

As stated in § 60.2915, you must comply with the following:

For the air pollutant	You must meet this emission limitation [a]	Using this averaging time	And determining compliance using this method
1. Cadmium	18 micrograms per dry standard cubic meter.	3-run average (1 hour minimum sample time per run).	Method 29 of Appendix A to this part.

For the air pollutant	You must meet this emission limitation [a]	Using this averaging time	And determining compliance using this method
2. Carbon monoxide	40 parts per million by dry volume.	3-run average (1 hour minimum sample time per run during performance test), and 12-hour rolling averages measured using CEMS [b].	Method 10, 10A, or 10B of Appendix A to this part and CEMS.
3. Dioxins/furans (total basis).	33 nanograms per dry standard cubic meter.	3-run average (1 hour minimum sample meter time per run).	Method 23 of Appendix A to this part.
4. Hydrogen chloride	15 parts per million by dry volume.	3-run average (1 hour minimum sample time per run).	Method 26A of Appendix A to this part.
5. Lead	226 micrograms per dry standard cubic meter.	3-run average (1 hour minimum sample time per run).	Method 29 of Appendix A to this part.
6. Mercury	74 micrograms per dry standard cubic meter.	3-run average (1 hour minimum sample time per run).	Method 29 of Appendix A to this part.
7. Opacity	10 percent	6-minute average (observe over three 1-hour test runs; i.e., thirty 6-minute averages).	Method 9 of Appendix A to this part, or ASTM D7520–16 (IBR, see § 60.17), if the following conditions are met: 1. During the digital camera opacity technique (DCOT) certification procedure outlined in Section 9.2 of ASTM D7520–16, you or the DCOT vendor must present the plumes in front of various backgrounds of color and contrast representing conditions anticipated during field use such as blue sky, trees, and mixed backgrounds (clouds and/or a sparse tree stand). 2. You must also have standard operating procedures in place including daily or other frequency quality checks to ensure the equipment is within manufacturing specifications as outlined in Section 8.1 of ASTM D7520–16. 3. You must follow the recordkeeping procedures outlined in § 63.10(b)(1) of this subchapter for the DCOT certification, compliance report, data sheets, and all raw unaltered JPEGs used for opacity and certification determination. 4. You or the DCOT vendor must have a minimum of four independent technology users apply the software to determine the visible opacity of the 300 certification plumes. For each set of 25 plumes, the user may not exceed 15 percent opacity of any one reading and the average error must not exceed 7.5 percent opacity.
8. Oxides of nitrogen	103 parts per million by dry volume.	3-run average (1 hour minimum sample time per run).	Method 7, 7A, 7C, 7D, or 7E of Appendix A to this part, or ASME/ANSI PTC 19.10–1981 (IBR, see § 60.17) in lieu of Methods 7 and 7C only.
9. Particulate matter	0.013 grains per dry standard cubic foot.	3-run average (1 hour minimum sample time per run).	Method 5 or 29 of Appendix A to this part.
10. Sulfur dioxide	3.1 parts per million by dry volume.	3-run average (1 hour minimum sample time per run).	Method 6 or 6C of Appendix A to this part, or ASME/ANSI PTC 19.10–1981 (IBR, see § 60.17) in lieu of Method 6 only.

[a] All emission limitations (except for opacity and CEMS data during startup and shutdown) are measured at 7 percent oxygen, dry basis at standard conditions. CEMS data during startup and shutdown are measured at stack oxygen content.
[b] Calculated each hour as the average of the previous 12 operating hours.

Table 1b to Subpart EEEE of Part 60—Emission Limitations for OSWI Units With Capacities Less Than or Equal to 10 Tons per Day With That Commenced Construction After August 31, 2020 or Commenced Reconstruction or Modification on or After December 29, 2025

As stated in § 60.2915, you must comply with the following:

For the air pollutant	You must meet this emission limitation [a]	Using this averaging time	And determining compliance using this method
1. Cadmium	400 micrograms per dry standard cubic meter.	3-run average (1 hour minimum sample time per run).	Method 29 of Appendix A to this part.
2. Carbon monoxide	69 parts per million by dry volume.	3-run average (1 hour minimum sample time per run during performance test), and 12-hour rolling averages measured using CEMS [b].	Method 10, 10A, or 10B of Appendix A to this part.
3a. Dioxins/furans (total mass basis) [c].	3,100 nanograms per dry standard cubic meter.	3-run average (1 hour minimum sample meter time per run).	Method 23 of Appendix A to this part.
3b. Dioxins/furans (toxic equivalency basis) [c].	40 nanograms per dry standard cubic meter.	3-run average (1 hour minimum sample meter time per run).	Method 23 of Appendix A to this part.
4. Hydrogen chloride	210 parts per million by dry volume.	3-run average (1 hour minimum sample time per run).	Method 26A of Appendix A to this part.
5. Lead	26,000 micrograms per dry standard cubic meter.	3-run average (1 hour minimum sample time per run).	Method 29 of Appendix A to this part.

For the air pollutant	You must meet this emission limitation [a]	Using this averaging time	And determining compliance using this method
6. Mercury	12 micrograms per dry standard cubic meter.	3-run average (1 hour minimum sample time per run).	Method 29 of Appendix A to this part.
7. Opacity	10 percent	6-minute average (observe over three 1-hour test runs; i.e., thirty 6-minute averages).	Method 9 of Appendix A to this part, or ASTM D7520–16 (IBR, see § 60.17), if the following conditions are met: 1. During the digital camera opacity technique (DCOT) certification procedure outlined in Section 9.2 of ASTM D7520–16, you or the DCOT vendor must present the plumes in front of various backgrounds of color and contrast representing conditions anticipated during field use such as blue sky, trees, and mixed backgrounds (clouds and/or a sparse tree stand). 2. You must also have standard operating procedures in place including daily or other frequency quality checks to ensure the equipment is within manufacturing specifications as outlined in Section 8.1 of ASTM D7520–16. 3. You must follow the recordkeeping procedures outlined in § 63.10(b)(1) of this subchapter for the DCOT certification, compliance report, data sheets, and all raw unaltered JPEGs used for opacity and certification determination. 4. You or the DCOT vendor must have a minimum of four independent technology users apply the software to determine the visible opacity of the 300 certification plumes. For each set of 25 plumes, the user may not exceed 15 percent opacity of any one reading and the average error must not exceed 7.5 percent opacity.
8. Oxides of nitrogen	180 parts per million by dry volume.	3-run average (1 hour minimum sample time per run).	Method 7, 7A, 7C, 7D, or 7E of Appendix A to this part, or ASME/ANSI PTC 19.10–1981 (IBR, see § 60.17) in lieu of Methods 7 and 7C only.
9. Particulate matter	210 milligrams per dry standard cubic meter.	3-run average (1 hour minimum sample time per run).	Method 5 or 29 of Appendix A to this part.
10. Sulfur dioxide	38 parts per million by dry volume.	3-run average (1 hour minimum sample time per run).	Method 6 or 6C of Appendix A to this part, or ASME/ANSI PTC 19.10–1981 (IBR, see § 60.17) in lieu of Method 6 only.

[a] All emission limitations (except for opacity) are measured at 7 percent oxygen, dry basis at standard conditions.
[b] Calculated each hour as the average of the previous 12 operating hours.
[c] For dioxins/furans, you must meet either the total mass basis limit or the toxic equivalency basis limit.

■ 52. Revise tables 2, 3 and 4 to subpart EEEE of part 60 to read as follows:

Table 2 to Subpart EEEE of Part 60—Operating Limits for Incinerators

As stated in § 60.2916, you must comply with the following:

For these operating parameters	You must establish these operating limits	And monitoring using these minimum frequencies		
		Data measurement	Data recording	Averaging time
1. Charge rate	Maximum charge rate	Periodic	For batch units, each batch. For continuous or intermittent units, every hour.	Daily for batch units or units complying with § 60.2932(d). 3-hour rolling for continuous and intermittent units.[a]
2. Combustion temperature	Minimum combustion chamber operating temperature.	Continuous	Every 15 minutes	3-hour rolling.[a]
3. Pressure drop across the wet scrubber or amperage to wet scrubber.	Minimum pressure drop or amperage.	Continuous	Every 15 minutes	3-hour rolling.[a]
4. Wet scrubber liquor flow rate	Minimum flow rate at inlet to the scrubber.	Continuous	Every 15 minutes	3-hour rolling.[a]
5. Wet scrubber liquor pH	Minimum pH at scrubber outlet	Continuous	Every 15 minutes	3-hour rolling.[a]
6. Dry scrubber sorbent injection	Minimum injection rate of each sorbent.	Continuous	Every 15 minutes	3-hour rolling.[a]
7. Electrostatic precipitator secondary electric power.	Minimum secondary electric power, calculated from the secondary voltage and secondary current.	Continuous	Every 15 minutes	3-hour rolling.[a]
8. Bag leak detection system alarm time.	Alarm time <5 percent of the operating time during a 6-month period.	Continuous	Each date and time of alarm start and stop.	Calculate alarm time as specified in § 60.2916(f).
9. Waste profile	The amount of each waste category burned as a percentage of total waste burned on a mass basis.	Periodic	For batch units, each batch. For continuous or intermittent units, every hour.	Calendar quarter.

[a] Calculated each hour as the average of the previous 3 operating hours.

Table 3 to Subpart EEEE of Part 60—Requirements for Continuous Emission Monitoring Systems (CEMS)

As stated in § 60.2940, you must comply with the following:

For the following pollutants	Use the following span values for your CEMS	Use the following performance specifications (P.S.) in Appendix B of this part for your CEMS	If needed to meet minimum data requirements, use the following alternate methods in Appendix A of this part to collect data
1. Carbon Monoxide	125 percent of the maximum hourly potential carbon monoxide emissions of the waste combustion unit.	P.S.4A	Method 10.
2. Oxygen	25 percent oxygen	P.S.3	Method 3A or 3B of Appendix A to this part, or ASME/ANSI PTC 19.10–1981 (IBR, see § 60.17) in lieu of Method 3B only.

Table 4 to Subpart EEEE of Part 60—Summary of Reporting Requirements

As stated in § 60.2951, you must comply with the following:

Report	Due date	Contents	Reference
1. Preconstruction report	a. Prior to commencing construction	i. Statement of intent to construct;	§ 60.2952.
		ii. Anticipated date of commencement of construction;	§ 60.2952.
		iii. Documentation for siting requirements;	§ 60.2952.
		iv. Waste management plan; and	§ 60.2952.
		v. Anticipated date of initial startup.	§ 60.2952.
2. Startup notification	a. Prior to initial startup	i. Types of waste to be burned;	§ 60.2953.
		ii. Maximum design waste burning capacity;	§ 60.2953.
		iii. Anticipated maximum charge rate;	§ 60.2953.
		iv. If applicable, the petition for site-specific operating limits; and	§ 60.2953.
		v. Anticipated date of initial startup.	§ 60.2953.
3. Initial test report	a. No later than 60 days following the initial performance test.	i. Complete test report for the initial performance test; and	§ 60.2954.
		ii. The values for the site-specific operating limits.	§ 60.2954.
4. Annual report	a. No later than 12 months following the submission of the initial test report. Subsequent reports are to be submitted no more than 12 months following the previous report	i. Company Name and address;	§§ 60.2955 and 60.2956.
		ii. Statement and signature by the owner or operator;	§§ 60.2955 and 60.2956.
		iii. Date of report;	§§ 60.2955 and 60.2956.
		iv. Values for the operating limits;	§§ 60.2955 and 60.2956.
		v. If no deviations or malfunctions were reported, a statement that no deviations occurred during the reporting period;	§§ 60.2955 and 60.2956.
		vi. Highest and lowest recorded 12-hour averages, as applicable, for carbon monoxide emissions and highest and lowest recorded 3-hour averages, as applicable, for each operating parameter recorded for the calendar year being reported;	§§ 60.2955 and 60.2956.
		vii. Information for deviations or malfunctions recorded under § 60.2949(b)(6) and (c) through (e);	§§ 60.2955 and 60.2956.
		viii. If a performance test was conducted during the reporting period, the results of the test;	§§ 60.2955 and 60.2956.
		ix. If a performance test was not conducted during the reporting period, a statement that the requirements of § 60.2934 (a) or (b) were met; and	§§ 60.2955 and 60.2956.
		x. Documentation of periods when all qualified OSWI unit operators were unavailable for more than 12 hours but less than 2 weeks.	§§ 60.2955 and 60.2956.
		xi. For each very small municipal waste combustion unit or institutional waste incineration unit for which you demonstrate continuous compliance according to § 60.2932(d), if no deviations from the percentages established for each waste category according to the waste profile required in § 60.2932(d)(1) and the OSWI unit has been operated within the operating parameter limits, a statement that there were no deviations from the waste profile requirements percentage and the OSWI unit has been operated within the operating parameter limits.	§§ 60.2955 and 60.2956.

Report	Due date	Contents	Reference
5. Emission limitation or operating limit deviation report.	a. By August 1 of that year for data collected during the first half of the calendar year. By February 1 of the following year for data collected during the second half of the calendar year.	i. Dates and times of deviation;	§§ 60.2957 and 60.2958.
		ii. Averaged and recorded data for those dates;	§§ 60.2957 and 60.2958.
		iii. Duration and causes of each deviation and the corrective actions taken;	§§ 60.2957 and 60.2958.
		iv. Copy of operating limit monitoring data and any test reports;	§§ 60.2957 and 60.2958.
		v. Dates, times, and causes for monitor downtimes incidents;	§§ 60.2957 and 60.2958.
		vi. Whether each deviation occurred during a period of startup, shutdown, or malfunction; and	§§ 60.2957 and 60.2958.
		vii. Dates, times, and durations of any bypass of the control device.	§§ 60.2957 and 60.2958.
6. Qualified operator deviation notification.	a. Within 10 days of deviation	i. Statement of cause of deviation;	§ 60.2959(a)(1).
		ii. Description of efforts to have an accessible qualified operator; and	§ 60.2959(a)(1).
		iii. The date a qualified operator will be accessible.	§ 60.2959(a)(1).
7. Qualified operation deviation status report.	a. Every 4 weeks following deviation	i. Description of efforts to have an accessible qualified operator;	§ 60.2959(a)(2).
		ii. The date a qualified operator will be accessible; and	§ 60.2959(a)(2).
		iii. Request to continue operation.	§ 60.2959(a)(2).
8. Qualified operator deviation notification of resumed operation.	a. Prior to resuming operation	i. Notification that you are resuming operation	§ 60.2959(b).

Note: This table is only a summary, see the referenced sections of the rule for the complete requirements.

Subpart FFFF—Emission Guidelines and Compliance Times for Other Solid Waste Incineration Units

■ 53. Revise the heading of subpart FFFF to part 60 to read as set out above.

■ 54. Revise § 60.2980 to read as follows:

§ 60.2980 What is the purpose of this subpart?

This subpart establishes emission guidelines and compliance schedules for the control of emissions from other solid waste incineration (OSWI) units. The pollutants addressed by these emission guidelines are listed in tables 2 and 2a to this subpart. These emission guidelines are developed in accordance with sections 111(d) and 129 of the Clean Air Act and subpart B of this part.

■ 55. Revise § 60.2981 to read as follows:

§ 60.2981 Am I affected by this subpart?

(a) If you are the Administrator of an air quality program in a state or United States protectorate with one or more existing incineration units as defined in § 60.2992, you must submit a state plan to the U.S. Environmental Protection Agency (EPA) that implements the emission guidelines contained in this subpart.

(b) You must submit the state plan to the EPA by June 30, 2026.

■ 56. Revise § 60.2982 to read as follows:

§ 60.2982 Is a state plan required for all States?

No, you are not required to submit a state plan if there are no existing incineration units that are an OSWI unit as defined in §§ 60.2992 and 60.3078 or air curtain incinerators subject to this subpart as described in § 60.2994 in your state and you submit a negative declaration letter in place of the state plan.

■ 57. Amend § 60.2983 by revising the section heading and paragraph (b) to read as follows:

§ 60.2983 What must I include in my state plan?

* * * * *

(b) Your state plan may deviate from the format and content of the emission guidelines contained in this subpart. However, if your state plan does deviate, you must demonstrate that your state plan is at least as protective as the emission guidelines contained in this subpart. Your state plan must address regulatory applicability, compliance schedule, operator training and qualification, a waste management plan, emission limitations, stack testing or substitute means of compliance, operating parameter requirements, monitoring, recordkeeping and reporting, and air curtain incinerator requirements.

* * * * *

■ 58. Revise § 60.2985 to read as follows:

§ 60.2985 What if my state plan is not approvable?

(a) If you do not submit an approvable state plan (or a negative declaration letter) that meets the requirements of this subpart by July 1, 2026, the EPA will develop a Federal plan according to § 60.27, to implement the emission guidelines contained in this subpart.

(b) Owners and operators of incineration units not covered by an approved state plan must comply with the Federal plan. The Federal plan is an interim action and applies to units until a state plan covering those units is approved and becomes effective.

■ 59. Revise § 60.2986 to read as follows:

§ 60.2986 Is there an approval process for a negative declaration letter?

No, the EPA has no formal review process for negative declaration letters. Once we receive your negative declaration letter, we will place a copy in the public docket and publish a notice in the **Federal Register**. If, at a later date, an existing incineration unit as defined in § 60.2992 is found in your state, the Federal plan implementing the emission guidelines contained in this subpart would automatically apply to that unit until your state plan is approved.

■ 60. Revise § 60.2887 to read as follows:

§ 60.2987 What compliance schedule must I include in my state plan?

Your state plan must include compliance schedules that require existing incineration units as defined in § 60.2992 to achieve final compliance as expeditiously as practicable after approval of the state plan but not later than the earlier of the following dates:

(a) July 1, 2030.

(b) Three years after the effective date of state plan approval.

■ 61. Amend § 60.2988 by revising the section heading and paragraph (a) to read as follows:

§ 60.2988 Are there any state plan requirements for this subpart that apply instead of the requirements specified in subpart B of this part?

* * * * *

(a) State plans developed to implement this subpart must be as protective as the emission guidelines contained in this subpart. State plans must require all existing incineration units to comply with the emissions and operating limits at all times by July 1, 2030, or 3 years after the effective date of state plan approval, whichever is sooner. This applies instead of the option for case-by-case less stringent emission standards and longer compliance schedules in § 60.24(f).

* * * * *

■ 62. Revise § 60.2989 to read as follows:

§ 60.2989 Does this subpart directly affect incineration unit owners and operators in my state?

(a) No, this subpart does not directly affect incineration unit owners and operators in your state. However, unit owners and operators must comply with the state plan you develop to implement the emission guidelines contained in this subpart.

(b) If you do not submit an approvable state plan to implement and enforce the guidelines contained in this subpart by June 30, 2027, the EPA will implement and enforce a Federal plan, as provided in § 60.2985, to ensure that each unit within your state reaches compliance with all the provisions of this subpart by July 1, 2030.

■ 63. Revise § 60.2990 to read as follows:

§ 60.2990 What Authorities are withheld by EPA?

The following authorities are withheld by the EPA and not transferred to the state, local or Tribal authority:

(1) The authority to approve alternatives to the emission limitations in tables 2 and 2a to this subpart and operating limits established under § 60.3023 and table 3 to this subpart.

(2) The authority to approve petitions for specific operating limits in accordance with the requirements in § 60.3024.

(3) The authority of the Administrator to receive and grant petitions under § 60.8(b)(3) to approve of major alternatives to test methods in § 60.3027.

(4) The authority to approve major alternatives to monitoring in §§ 60.3038 through 60.3044.

(5) The authority to approve major alternatives to recordkeeping and reporting in §§ 60.3046 through 60.3057.

(6) The authority to receive the required notices and to approve continued operation in connection with the status report requirements in § 60.3020(c)(2).

(7) The authority of the Administrator to receive and grant petitions under § 60.11(e)(6) through (8) to adjust opacity standards and establish opacity standards in accordance with § 60.3022 and §§ 60.3066 through 60.3068.

(8) The authority of the Administrator under § 60.8(b)(4) to waive performance test and § 60.8(b)(5) to approve shorter sampling times or smaller sample volumes.

(9) The authority to approve an alternative to any electronic reporting to the EPA required by this subpart.

■ 64. Revise and republish § 60.2991 to read as follows:

§ 60.2991 What incineration units must I address in my state plan?

Your state plan must address all incineration units in your state that meet all the requirements specified in paragraphs (a) through (c) of this section.

(a) The incineration unit is an existing incineration unit as defined in § 60.2992, except as specified in paragraph (d) of this section.

(b) The incineration unit is an OSWI unit as defined in § 60.3078 or an air curtain incinerator subject to this subpart as described in § 60.2994(b). OSWI units are very small municipal waste combustion units and institutional waste incineration units as defined in § 60.3078 and include very small municipal waste combustion units and institutional waste incineration units with capacities less than or equal to 10 tons per day.

(c) The incineration unit is not excluded under § 60.2993.

(d) This subpart does not apply to your unit if it is a rudimentary combustion device as defined in § 60.3078.

(e) If your existing incineration unit meets the requirements in § 60.2991(a) or (b), and you replace the unit or make changes to the unit that meet the definition of modification or reconstruction, the unit is subject to the requirements in § 60.2885, except § 60.2885(d) does not apply.

(f) If your existing incineration unit meets the requirements in § 60.2991(a) or (b), and you make physical or operational changes to the unit, that do not meet the definition of modification or reconstruction, the unit is still subject to the requirements in § 60.2991, except § 60.2991(d) does not apply.

■ 65. Revise § 60.2992 to read as follows:

§ 60.2992 What is an existing incineration unit?

(a) An existing incineration unit covered by state plan regulations under this subpart is an OSWI unit as defined in § 60.3078 or air curtain incinerator as specified in § 60.2994, which meets the criteria in paragraph (a)(1) of this section except as provided in paragraph (b) of this section.

(1) The OSWI unit or air curtain incinerator subject to this subpart commenced construction on or before August 31, 2020.

(2) If your OSWI unit subject to this subpart is a very small municipal waste combustion unit or institutional waste incineration unit that:

(i) Commenced construction after December 9, 2004, and on or before August 31, 2020, and met the applicability of § 60.2886(a)(1) before December 29, 2025, the unit is considered a new incineration unit and remains subject to the emission limitations of table 1 and applicable requirements of subpart EEEE of this part (New Source Performance Standards for Other Solid Waste Incineration Units) until the unit becomes subject to an approved state plan or Federal plan that implements this subpart; or,

(ii) Commenced reconstruction or modification on and after June 16, 2006, and met the applicability of § 60.2886(a)(2) before December 29, 2025, the unit remains subject to the emission limitations of table 1 and applicable requirements of subpart EEEE of this part (New Source Performance Standards for Other Solid Waste Incineration Units) until the unit becomes subject to an approved state plan or Federal plan that implements this subpart.

(iii) Met the applicability of § 60.2015 or § 60.2550(a) as of December 29, 2025, then your unit remains subject to subpart CCCC or DDDD of this part, or subpart IIIa of part 62 until the unit becomes subject to the requirements of an approved state plan or Federal plan that implements subpart FFFF of this part (Emission Guidelines and Compliance Times for Other Solid Waste Incineration Units).

(b) If the owner or operator of an incineration unit that commenced construction on or before December 9, 2004, makes changes that meet the definition of modification or reconstruction on or after December 29, 2025, the unit becomes subject to subpart EEEE of this part (New Source Performance Standards for Other Solid Waste Incineration Units) and the state plan no longer applies to that unit.

(c) If the owner or operator of an existing incineration unit makes physical or operational changes to the unit primarily to comply with the state plan, then subpart EEEE of this part

does not apply to that unit. Such changes do not qualify as modifications or reconstructions under subpart EEEE of this part.

■ 66. Amend § 60.2993 by revising the section heading, paragraphs (b)(1) and (3), and paragraph (q) introductory text to read as follows:

§ 60.2993 Are any combustion units excluded from my state plan?

* * * * *

(b) * * *

(1) Has a federally enforceable permit limiting the combustion of municipal solid waste to 30 percent of the total fuel input by weight.

* * * * *

(3) Provides the Administrator with a copy of the federally enforceable permit.

* * * * *

(q) *Incinerators used for national security.* Your incineration unit is excluded if it meets the requirements specified in either paragraph (q)(1) or (2) of this section.

* * * * *

■ 67. Amend § 60.2994 by revising paragraph (a) and paragraph (b) introductory text to read as follows:

§ 60.2994 Are air curtain incinerators regulated under this subpart?

(a) Air curtain incinerators that burn less than 35 tons per day of municipal solid waste or air curtain incinerators located at institutional facilities burning any amount of institutional waste generated at that facility are incineration units subject to all requirements of this subpart, including the emission limitations specified in tables 2 and 2a to this subpart.

(b) Air curtain incinerators that burn less than 35 tons per day and burn only the materials listed in paragraphs (b)(1) through (4) of this section collected from the general public and from residential, commercial, institutional, or industrial sources; or air curtain incinerators located at institutional facilities that burn only the materials listed in paragraphs (b)(1) through (4) of this section generated at that facility, are required to meet only the requirements in §§ 60.3062 through 60.3068 and are exempt from all other requirements of this subpart.

* * * * *

■ 68. Amend § 60.2998 by revising the introductory paragraph and adding paragraphs (j) and (k) to read as follows:

§ 60.2998 What are the principal components of the model rule?

The model rule contains 11 major components, as follows:

* * * * *

(j) Definitions.

(k) Tables.

■ 69. Under the heading ''Model Rule—Compliance Schedule'', add § 60.3003 to read as follows:

§ 60.3003 What else must I do prior to the compliance date if I meet the substitute means of compliance demonstration?

If you intend to meet the requirements for the substitute means of compliance demonstration requirements in § 60.3032, the requirements in § 60.3032(a) and (b) must be completed prior to the compliance date in table 1 to this subpart.

■ 70. Amend § 60.3014 by revising paragraphs (b), paragraph (c) introductory text, and paragraphs (c)(1)(iv), (viii), and (x) to read as follows:

§ 60.3014 What are the operator training and qualification requirements?

* * * * *

(b) Operator training and qualification must be obtained through a state-approved program or by completing the requirements included in paragraph (c) of this section.

(c) Training must be obtained by completing an incinerator operator training course that includes, at a minimum, the three elements described in paragraphs (c)(1) through (3) of this section:

(1) * * *

(iv) Combustion controls and monitoring, including good combustion practices and waste characterization procedures.

* * * * *

(viii) Actions to prevent and correct malfunctions or to prevent conditions that may lead to malfunction.

* * * * *

(x) Applicable Federal, state, and local regulations, including Occupational Safety and Health Administration workplace standards.

* * * * *

■ 71. Amend § 60.3015 by revising the introductory paragraph and paragraph (b) to read as follows:

§ 60.3015 When must the operator training course be completed?

The operator training course must be completed by the latest of the dates specified in paragraphs (a) through (c) of this section.

* * * * *

(b) Six months after your OSWI unit startup date.

* * * * *

■ 72. Revise § 60.3017(d) to read as follows:

§ 60.3017 How do I maintain my operator qualification?

* * * * *

(d) Prevention and correction of malfunctions or conditions that may lead to malfunction.

* * * * *

■ 73. Amend § 60.3019 by:

■ a. Revising paragraph (a) introductory text, and paragraph (a)(4);

■ b. Adding paragraph (a)(10); and

■ c. Revising paragraph (c)(2).

The revisions and addition read as follows:

§ 60.3019 What site-specific documentation is required?

(a) Documentation must be available at the facility and readily accessible for all OSWI unit operators that addresses the ten topics described in paragraphs (a)(1) through (10) of this section. You must maintain this information and the training records required by paragraph (c) of this section in a manner that they can be readily accessed and are suitable for inspection upon request.

* * * * *

(4) Procedures for maintaining good combustion practices, including proper combustion air supply levels.

* * * * *

(10) Procedures for establishing initial and continuous compliance, including but not limited to, procedures to determine waste characterization.

* * * * *

(c) * * *

(2) Records showing the names of the OSWI unit operators who have completed the operator training requirements under § 60.3014, met the criteria for qualification under § 60.3016, and maintained or renewed their qualification under § 60.3017 or § 60.3018. Records must include documentation of training, the dates of the initial and refresher training, and the dates of their qualification and all subsequent renewals of such qualifications.

* * * * *

■ 74. Amend § 60.3020 by revising the introductory text to read as follows:

§ 60.3020 What if all the qualified operators are temporarily not accessible?

For each batch OSWI unit, a qualified operator must always be accessible when the unit is operating. For each continuous OSWI unit or intermittent OSWI unit, if all qualified operators are temporarily not accessible (*i.e.,* not at the facility and not able to be at the facility within 1 hour), you must meet one of the three criteria specified in paragraphs (a) through (c) of this section, depending on the length of time

that a qualified operator is not accessible.

* * * * *

■ 75. Revise § 60.3022 to read as follows:

§ 60.3022 What emission limitations must I meet and by when?

For OSWI units as defined that are very small municipal waste combustion units and institutional waste incineration units with capacities greater than 10 tons per day, you must meet the emission limitations specified in table 2 to this subpart, except as provided in § 60.2992(a)(2). For OSWI units that are very small municipal waste combustion units and institutional waste incineration units with capacities less than or equal to 10 tons per day, you must meet the emission limitations specified in table 2a to this subpart, except as provided in § 60.2992(a)(2). You must meet the emissions limitations on the date the initial performance test is required or completed (whichever is earlier). Section 60.3031 specifies the date by which you are required to conduct your performance test.

■ 76. Revise § 60.3023 to read as follows:

§ 60.3023 What operating limits must I meet and by when?

You must comply with the requirements in paragraphs (a) through (h) of this section, as applicable. If you own or operate a very small municipal waste combustion unit or institutional waste incineration unit using the substitute means of compliance demonstration under § 60.3032, the references in this section to the most recent performance test demonstrating compliance are not applicable and instead, refer to the limits established during the representative performance test identified in the information submitted as specified in § 60.3032(b).

(a) You must establish a maximum charge rate, calculated using the procedures in paragraph (a)(1) or (2) of this section, as appropriate.

(1) For continuous and intermittent units, maximum charge rate is the average charge rate measured during the most recent performance test demonstrating compliance with all applicable emission limitations.

(2) For batch units, maximum charge rate is the charge rate measured during the most recent performance test demonstrating compliance with all applicable emission limitations.

(b) You must establish a minimum combustion chamber operating temperature equal to the lowest 1-hour average combustion chamber operating temperature measured during the most recent performance test demonstrating compliance with all applicable emission limitations.

(c) If you use a wet scrubber to comply with the emission limitations, you must establish operating limits for the operating parameters as described in paragraphs (c)(1) through (3) of this section.

(1) Minimum pressure drop across the wet scrubber, which is calculated as the lowest 1-hour average pressure drop across the wet scrubber measured during the most recent performance test demonstrating compliance with the particulate matter emission limitations; or minimum amperage to the wet scrubber, which is calculated as the average amperage to the wet scrubber measured during the most recent performance test demonstrating compliance with the particulate matter emission limitations.

(2) Minimum scrubber liquor flow rate, which is calculated as the lowest 1-hour average liquor flow rate at the inlet to the wet scrubber measured during the most recent performance test demonstrating compliance with all applicable emission limitations.

(3) Minimum scrubber liquor pH, which is calculated as the lowest 1-hour average liquor pH at the outlet to the wet scrubber measured during the most recent performance test demonstrating compliance with the hydrogen chloride and sulfur dioxide emission limitations.

(d) If you use a dry scrubber to comply with the emission limitations, you must measure the injection rate of each sorbent during the performance test. The minimum operating limit for the injection rate of each sorbent is calculated as the lowest 1-hour average injection rate for each sorbent measured during the most recent performance test demonstrating compliance with the hydrogen chloride emission limitations.

(e) If you use an electrostatic precipitator to comply with the emission limitations, you must measure the (secondary) voltage and amperage of the electrostatic precipitator collection plates during the particulate matter performance test. Calculate the average electric power value (secondary voltage × secondary current = secondary electric power) for each test run. The minimum operating limit for the electrostatic precipitator is calculated as the lowest 1-hour average secondary electric power measured during the most recent performance test demonstrating compliance with the particulate matter emission limitations.

(f) If you use a fabric filter to comply with the emission limitations, you must operate each fabric filter system such that the bag leak detection system alarm does not sound more than 5 percent of the operating time during a 6-month period. Calculate the alarm time (*i.e.,* time that the alarm sounds) as specified in paragraphs (f)(1) and (2) of this section.

(1) If inspection of the fabric filter demonstrates that no corrective action is required, the alarm duration is not counted in the alarm time calculation.

(2) If corrective action is required and you take less than an hour to initiate corrective action, the alarm time is counted as 1 hour. If you take longer than 1 hour to initiate corrective action, the alarm time is counted as the actual amount of time taken to initiate corrective action.

(g) If you own or operate a very small municipal waste combustion unit or institutional waste incineration unit with capacity less than or equal to 10 tons per day and you demonstrate continuous compliance according to § 60.3033(d), you must establish the amount of waste burned in each waste category as a percentage of total waste burned on a mass basis. These percentages are your waste profile and must be based on the categories of waste fed to the incinerator (*e.g.,* food waste, paper waste, wood waste) during the most recent performance test.

(h) You must meet the operating limits established during the initial or representative performance test no later than the date specified in paragraph (h)(1) or (2) of this section, as applicable.

(1) For each OSWI unit with a capacity greater than 10 tons per day or for each very small municipal waste combustion unit or institutional waste incineration unit with a capacity less than or equal to 10 tons per day for which you conduct an initial performance test under § 60.3030(a), beginning on the date 180 days after your final compliance date in table 1 to this subpart.

(2) For each very small municipal waste combustion unit or institutional waste incineration unit for which you use the substitute means of compliance demonstration under § 60.3032, by the date you submit to the Administrator the information required in § 60.3032(b).

■ 77. Amend § 60.3024 by revising the section heading and the introductory text to read as follows:

§ 60.3024 What if I do not use a wet scrubber, dry scrubber, electrostatic precipitator, or fabric filter to comply with the emission limitations?

If you use an air pollution control device other than a wet scrubber, dry scrubber, electrostatic precipitator, or

fabric filter to comply with the emission limitations under § 60.3022, you must petition the EPA Administrator for specific operating limits to be established during the performance test and then continuously monitored thereafter. Additionally, unless you demonstrate continuous compliance according to § 60.3032(d), if you limit emissions in some manner other than an add-on control device to comply with the emission limitations under § 60.3022, such as by material balance, then you must submit a petition for approval of your means of limiting your emissions. You must submit the petition at least 60 days before the performance test is scheduled to begin and not conduct the initial performance test until after the petition has been approved by the EPA. Your petition must include the five items listed in paragraphs (a) through (e) of this section.

* * * * *

§ 60.3025 [Removed and reserved].

■ 78. Remove and reserve § 60.3025.

■ 79. Revise and republish § 60.3027 to read as follows:

§ 60.3027 How do I conduct the initial and annual performance test?

(a) All performance tests must consist of a minimum of three test runs conducted under conditions representative of normal operations.

(b) All performance tests must be conducted using the methods in tables 2 and 2a to this subpart.

(c) All performance tests must be conducted using the minimum run duration specified in tables 2 and 2a to this subpart.

(d) EPA Method 1 of Appendix A to this part must be used to select the sampling location and number of traverse points.

(e) EPA Method 3A or 3B of Appendix A to this part or ASME/ANSI PTC 19.10–1981 (incorporated by reference, see § 60.17), in lieu of EPA Method 3B, must be used for gas composition analysis, including measurement of oxygen concentration. EPA Method 3A or 3B of Appendix A to this part or ASME/ANSI PTC 19.10–1981 must be used simultaneously with each method.

(f) All pollutant concentrations, except for opacity, must be adjusted to 7 percent oxygen using Equation 1 in § 60.3076.

(g) EPA Method 26A of Appendix A to this part must be used for hydrogen chloride concentration analysis, with the additional requirements specified in paragraphs (g)(1) through (3) of this section.

(1) The probe and filter must be conditioned prior to sampling using the procedure described in paragraphs (g)(1)(i) through (iii) of this section.

(i) Assemble the sampling train(s) and conduct a conditioning run by collecting between 14 liters per minute (0.5 cubic feet per minute) and 30 liters per minute (1.0 cubic feet per minute) of gas over a 1-hour period. Follow the sampling procedures outlined in section 8.1.5 of EPA Method 26A of Appendix A to this part. For the conditioning run, water can be used as the impinger solution.

(ii) Remove the impingers from the sampling train and replace with a fresh impinger train for the sampling run, leaving the probe and filter (and cyclone, if used) in position. Do not recover the filter or rinse the probe before the first run. Thoroughly rinse the impingers used in the preconditioning run with deionized water and discard these rinses.

(iii) The probe and filter assembly are conditioned by the stack gas and are not recovered or cleaned until the end of testing.

(2) For the duration of sampling, a temperature around the probe and filter (and cyclone, if used) between 120 °C (248 °F) and 134 °C (273 °F) must be maintained.

(3) If water droplets are present in the sample gas stream, the requirements specified in paragraphs (g)(3)(i) and (ii) of this section must be met.

(i) The cyclone described in section 6.1.4 of EPA Method 26A of Appendix A to this part must be used.

(ii) The post-test moisture removal procedure described in section 8.1.6 of EPA Method 26A of Appendix A to this part must be used.

■ 80. Revise § 60.3028 to read as follows:

§ 60.3028 How are the performance test data used?

You use results of performance tests to demonstrate compliance with the emission limitations in tables 2 and 2a to this subpart.

■ 81. Revise § 60.3030 to read as follows:

§ 60.3030 How do I demonstrate initial compliance with the emission limitations and establish the operating limits?

(a) Except as provided in paragraph (b) of this section, you must conduct an initial performance test, as required under § 60.8, to determine compliance with the emission limitations in table 2 or 2a to this subpart and to establish operating limits using the procedures in § 60.3023 or § 60.3024. The initial performance test must be conducted using the test methods listed in table 2 or 2a to this subpart and the procedures in § 60.3027. In the event of any conflict between § 60.8 and the provisions of this subpart, the provisions of this subpart shall apply.

(b) For very small municipal waste combustion units and institutional waste incineration units with a capacity less than or equal to 10 tons per day, you must demonstrate initial compliance according to paragraph (a) of this section, unless you comply with the requirements for the substitute means of compliance demonstration requirements in § 60.3032.

(c) For each OSWI unit with a capacity greater than 10 tons per day, as an alternative to conducting a performance test under paragraph (a) of this section for carbon monoxide, you may use a 12-hour rolling average of the 1-hour arithmetic average CEMS data to determine compliance with the emission limitations in tables 2 and 2a to this subpart. The initial performance evaluation required by § 60.3039(b) must be conducted prior to collecting CEMS data that will be used for the initial compliance demonstration.

■ 82. Under the heading ''Model Rule—Initial Compliance Requirements'', add § 60.3032 to read as follows:

§ 60.3032 What are the substitute means of compliance demonstration requirements for very small municipal waste combustion units and institutional waste incineration units with capacities less than or equal to 10 tons per day?

Instead of conducting the initial performance test in § 60.3030(a), very small municipal waste combustion units and institutional waste incineration units with capacities less than or equal to 10 tons per day may demonstrate initial compliance according to the requirements in paragraphs (a) through (d) of this section.

(a) For each very small municipal waste combustion unit or institutional waste incineration unit for which you are using the substitute means of compliance demonstration, beginning on the effective date of your state plan approval, or July 1, 2030 whichever date is earlier, you must collect the data in paragraphs (a)(1) through (7) of this section until you meet the requirements in paragraph (b) of this section.

(1) Identity and weight of each waste type (*e.g.,* lbs of paper waste, food waste, wood or yard waste) on a weekly total basis for the date range the information is collected.

(2) Identity and quantities (*e.g.,* flow rate or percentage of operating time) of supplemental fuels burned on a weekly

total basis for the date range the information is collected.

(3) Percentage of total waste burned for each waste type on a weekly average basis for the date range the information is collected.

(4) Temperature indicative of the combustion chamber and description of where temperature is measured. Record this information on a 3-hour rolling average basis for the date range the information is collected.

(5) Hours operated per day for the date range the information is collected.

(6) Charge rate each day in tons per day for the date range the information is collected.

(7) Operating parameter data for any air pollution control devices. For wet scrubbers, include pressure drop across the scrubber or amperage to the scrubber, scrubber liquor inlet flow rate, and scrubber liquor pH at the outlet of the scrubber. For dry scrubbers, include injection rate of each sorbent used. For electrostatic precipitators, include the secondary voltage, secondary amperage, and secondary power. Record this information on a 3-hour rolling average basis for the date range the information is collected.

(b) On or before 3 years after the effective date of state plan approval, or July 1, 2030, whichever is earlier, you must identify the results of a performance test in the EPA's WebFIRE database that is representative for your very small municipal waste combustion unit or institutional waste incineration unit using the criteria in paragraphs (b)(2)(i) through (viii) of this section and submit the information in paragraphs (b)(1) and (2) of this section. You must submit the information following the procedure in paragraph (b)(3) of this section. The performance test may be any test that meets the requirements in paragraph (c) of this section, regardless of location, that is representative of your OSWI unit.

(1) Identify the representative performance test used to demonstrate initial compliance with each very small municipal waste combustion unit or institutional waste incineration unit by submitting the information in paragraphs (b)(1)(i) through (vi) of this section as provided in the EPA's WebFIRE database for the performance test.

(i) Organization.

(ii) Facility.

(iii) City.

(iv) State.

(v) County.

(vi) Submission date.

(2) Describe how the test is representative for your unit, based on the following criteria, using the data collected as specified in paragraph (a) of this section:

(i) Unit design, including type of unit and any associated air pollution control devices.

(ii) Charge rate.

(iii) Type of operation (batch, continuous, intermittent).

(iv) Combustion temperature and location of temperature measurement.

(v) Type(s) of waste burned.

(vi) Waste profile, as defined in § 60.3078.

(vii) Type and amount of supplemental fuels.

(viii) Similarity of air pollution control devices and operation of the air pollution control devices, if the performance test was conducted on a unit with an air pollution control device.

(3) You must submit the information required in paragraphs (b)(1) and (2) of this section via CEDRI, which can be accessed through the EPA's Central Data Exchange (CDX) (*https://cdx.epa.gov/*). The EPA will make all the information submitted through CEDRI available to the public without further notice to you. Do not use CEDRI to submit information you claim as CBI. If you wish to assert a CBI claim, submit the information, including information claimed to be CBI, to the EPA following the procedures in paragraphs (b)(3)(i) and (ii) of this section. Clearly mark the part or all of the information that you claim as CBI. Information not marked as CBI may be authorized for public release without prior notice. Information marked as CBI will not be disclosed except in accordance with procedures set forth in 40 CFR part 2. All CBI claims must be asserted at the time of submission. Anything submitted using CEDRI cannot later be claimed CBI. Furthermore, under CAA section 114(c), emissions data is not entitled to confidential treatment, and the EPA is required to make emissions data available to the public. Thus, emissions data will not be protected as CBI and will be made publicly available. You must submit the same file submitted to the CBI office with the CBI omitted to the EPA via the EPA's CDX as described earlier in this paragraph.

(i) The preferred method to receive CBI is for it to be transmitted electronically using email attachments, File Transfer Protocol, or other online file sharing services. Electronic submissions must be transmitted directly to the OAQPS CBI Office at the email address *oaqps_cbi@epa.gov,* and as described above, should include clear CBI markings and be flagged to the attention of the Other Solid Waste Incinerator Units Sector Lead. If assistance is needed with submitting large electronic files that exceed the file size limit for email attachments, and if you do not have your own file sharing service, please email *oaqps_cbi@epa.gov* to request a file transfer link.

(ii) If you cannot transmit the file electronically, you may send CBI information through the postal service to the following address: U.S. EPA, Attn: OAQPS Document Control Officer and Other Solid Waste Incinerator Units Sector Lead, Mail Drop: C404–02, 109 T.W. Alexander Drive, P.O. Box 12055, RTP, NC 27711. The mailed CBI material should be double wrapped and clearly marked. Any CBI markings should not show through the outer envelope.

(c) Any performance test used as a representative test in a substitute means of compliance demonstration under paragraph (b) of this section must be conducted according to the initial testing requirements of § 60.3027 and demonstrate initial compliance with the emissions limits in table 2a to this subpart. In addition to the results of the performance test and the information required by § 60.8(f)(2), the performance test report must contain the information in paragraphs (c)(1) through (8) of this section.

(1) Unit design, including type of unit and any associated air pollution control devices.

(2) Charge rate during the test.

(3) Type of operation (batch, continuous, intermittent).

(4) Combustion temperature and location of temperature measurement. The temperature must be recorded continuously for each run of the performance test. The performance test report must also identify the lowest 1-hour average combustion chamber operating temperature.

(5) Types of waste burned during the test.

(6) Waste profile, as defined in § 60.3078, established during the test.

(7) Type and amount of supplemental fuels burned during the test and the timeframe that each supplemental fuel was burned during the test.

(8) If the performance test was conducted on a unit with an air pollution control device, the operating parameter data for the control device must be recorded continuously for each run of the performance test. The performance test report must also identify the lowest or highest, as applicable, 1-hour average for the operating parameter.

(i) For wet scrubbers, the performance test report must include data for pressure drop across the scrubber or amperage to the scrubber, scrubber

liquor inlet flow rate, and scrubber liquor pH at the outlet of the scrubber.

(ii) For dry scrubbers, the performance test report must include data for the injection rate of each sorbent used.

(iii) For electrostatic precipitators, the performance test report must include data for the secondary voltage, secondary amperage, and secondary power.

(d) If there are no results from a performance test that meet the requirements of paragraph (c) of this section that are representative of your OSWI unit, you must demonstrate initial compliance according to the requirements of § 60.3030(a).

■ 83. Revise § 60.3033 to read as follows:

§ 60.3033 How do I demonstrate continuous compliance with the emission limitations and the operating limits?

You must demonstrate continuous compliance according to the requirements in paragraphs (a) through (c) of this section, unless you own or operate a very small municipal waste combustion unit or institutional waste incineration unit with a capacity less than or equal to 10 tons per day. If you own or operate a very small municipal waste combustion unit or institutional waste incineration unit with a capacity less than or equal to 10 tons per day, you must either comply with the requirements in paragraphs (a) and (c) of this section or the requirements in paragraph (d) of this section.

(a) You must conduct an annual performance test for all pollutants in table 2 or 2a to this subpart for each OSWI unit to determine compliance with the emission limitations, except if you own or operate an OSWI unit with a capacity greater than 10 tons per day you are not required to conduct an annual performance test for carbon monoxide. The annual performance test must be conducted using the test methods listed in table 2 or 2a to this subpart and the procedures in § 60.3027.

(b) You must continuously monitor carbon monoxide emissions to determine compliance with the carbon monoxide emissions limitation. Twelve-hour rolling average values, including CEMS data during startup and shutdown as defined in this subpart, are used to determine compliance. A 12-hour rolling average value above the carbon monoxide emission limit in table 2 or 2a to this subpart constitutes a deviation from the emission limitation.

(c) You must continuously monitor the operating parameters specified in § 60.3023(a) through (f) or established under § 60.3024. Three-hour rolling average values are used to determine compliance with the operating limits, except for bag leak detection system alarm time, unless a different averaging period is established under § 60.3024. A 3-hour rolling average value (unless a different averaging period is established under § 60.3024) above the established maximum or below the established minimum operating limits constitutes a deviation from the established operating limits. For bag leak detection systems, an alarm time of more than 5 percent of the operating time during a 6-month period constitutes a deviation from the operating limit. Operating limits do not apply during performance tests.

(d) For each very small municipal waste combustion unit or institutional waste incineration unit with capacity less than or equal to 10 tons per day, unless you comply with the requirements in paragraphs (a) and (c) of this section, you must comply with the requirements in paragraphs (d)(1) through (3) of this section.

(1) You must maintain the percentage of waste burned in each waste category within +/−15 percent of the percentage of total waste burned on a mass basis as established for that waste category according to the waste profile established under § 60.3023(g). You must demonstrate that the percentage of waste burned in each waste category is maintained within +/−15 percent of the percentage of total waste burned on a mass basis as established for that waste category according to the waste profile established under § 60.3023(g) according to paragraphs (d)(1)(i) through (iii) of this section.

(i) At the end of each calendar quarter, you must determine the mass of waste burned in each waste category for that quarter. You must determine the total waste burned during the quarter by summing the quarterly totals for all the waste categories. You must then determine the amount of waste burned in each waste category as a percentage of the total waste burned on a mass basis by dividing the quarterly total in each waste category by the quarterly total waste burned.

(ii) You must also maintain records as required in § 60.3046(p).

(iii) The values calculated in (d)(1)(i) must be +/−15 percent of the percentage of total waste burned on a mass basis as established for that waste category according to the waste profile established under § 60.3023(g). Failure to maintain the percentage of waste burned in each waste category within +/−15 percent of the percentage established for that waste category in any calendar quarter constitutes a deviation.

(2) If you want to establish new operating parameter limits or establish a different waste profile, you must comply with § 60.3036(b).

(3) You must continuously monitor the operating parameters specified in § 60.3023(b) through (f), as applicable. The total daily charge rate is used to determine compliance with the charge rate limit in § 60.3023(a). For the operating parameters in § 60.3023(b) through (f), determine compliance as described in paragraph (d)(3)(i) or (ii) of this section. Failure to meet the operating parameters specified in § 60.3023(a) through (f) is a deviation.

(i) Three-hour rolling average values are used to determine compliance with the operating parameter limits, unless your unit operates on a batch basis and it is operated for less than three hours.

(ii) If your unit operates on a batch basis, and you operate for less than three hours, compliance with the operating parameter limits is determined by averaging the operating parameter over the length of the batch operation.

■ 84. Revise § 60.3034 to read as follows:

§ 60.3034 By what date must I conduct the annual performance test?

For each OSWI unit that is subject to the annual performance test requirement in § 60.3033(a), you must conduct an annual performance test no later than 14 calendar months following the initial performance test. Conduct subsequent annual performance tests no later than 14 calendar months following the previous annual performance test.

■ 85. Amend § 60.3035 by adding paragraph (d) to read as follows:

§ 60.3035 May I conduct performance testing less often?

* * * * *

(d) For very small municipal waste combustion units and institutional waste incineration units with capacities less than or equal to 10 tons per day demonstrating initial compliance following the substitute means of compliance demonstration requirements in § 60.3032, the requirements in paragraphs (a) through (c) of this section do not apply.

■ 86. Revise § 60.3036 to read as follows:

§ 60.3036 May I conduct a repeat performance test to establish new operating limits?

(a) Yes, you may conduct a repeat performance test at any time to establish new values for the operating limits. The Administrator may request a repeat performance test at any time.

(b) For each very small municipal waste combustion unit or institutional waste incineration unit for which you opt to demonstrate continuous compliance according to the requirements in § 60.3033(d), if you want to establish new operating parameter limits or establish a different waste profile, you must comply with either paragraph (b)(1) or (2) of this section.

(1) You must conduct a new performance test of the unit using the test methods listed in table 2a to this subpart and the procedures in § 60.3027 with a waste stream representative of the new waste profile or under the new operating limits.

(2) You must identify a representative performance test that meets the requirements in § 60.3032(c). You must submit the information in § 60.3032(b)(1) and (2) to the Administrator.

■ 87. Revise § 60.3038(a) to read as follows:

§ 60.3038 What continuous emission monitoring systems must I install?

(a) For each OSWI unit with a capacity greater than 10 tons per day, you must install, calibrate, maintain, and operate continuous emission monitoring systems for carbon monoxide and for oxygen. You must monitor the oxygen concentration at each location where you monitor carbon monoxide.

* * * * *

■ 88. Amend § 60.3039 by revising paragraphs (b) and (c) to read as follows:

§ 60.3039 How do I make sure my continuous emission monitoring systems are operating correctly?

* * * * *

(b) Complete your initial performance evaluation of the continuous emission monitoring systems within 180 days after your final compliance date in table 1 to this subpart.

(c) For initial and annual performance evaluations, collect data concurrently (or within 30 to 60 minutes) using your carbon monoxide and oxygen continuous emission monitoring systems. To validate carbon monoxide concentration levels, use EPA Method 10, 10A, or 10B of Appendix A to this part. Use EPA Method 3A or 3B of Appendix A to this part or ASME/ANSI PTC 19.10–1981 (incorporated by reference, see § 60.17), in lieu of Method 3B, to measure oxygen. Collect the data during each initial and annual evaluation of your continuous emission monitoring systems following the applicable performance specifications in Appendix B to this part. Table 4 to this subpart shows the required span values and performance specifications that apply to each continuous emission monitoring system.

* * * * *

■ 89. Amend § 60.3041 by revising the section heading and paragraphs (a) and (f) to read as follows:

§ 60.3041 What is the minimum amount of monitoring data I must collect with my continuous emission monitoring systems?

(a) Where continuous emission monitoring systems are required, obtain 1-hour arithmetic averages. Except for CEMS data during startup and shutdown as defined in this subpart, the 1-hour arithmetic averages for carbon monoxide must be expressed in parts per million by dry volume corrected to 7 percent oxygen. The CEMS data during startup and shutdown are not corrected to 7 percent oxygen and are measured at stack oxygen content. Use the 1-hour averages of oxygen data from your CEMS to determine the actual oxygen level and to calculate emissions at 7 percent oxygen. Use Equation 2 in § 60.3076 to calculate the 12-hour rolling averages from the 1-hour arithmetic averages.

* * * * *

(f) If continuous emission monitoring systems are temporarily unavailable to meet the data collection requirements, refer to table 4 to this subpart. It shows alternate methods for collecting data when systems malfunction or when repairs, calibration checks, or zero and span checks keep you from collecting the minimum amount of data. Failure to collect required data is a deviation of the monitoring requirements.

■ 90. Revise and republish § 60.3043 to read as follows:

§ 60.3043 What operating parameter monitoring equipment must I install, or what operating parameters must I monitor?

(a) You must install, calibrate (to manufacturers' specifications at the frequency recommended by the manufacturer), maintain, and operate devices (or establish methods) for monitoring the value of the operating parameters used to determine compliance with the operating limits listed in table 3 to this subpart, as applicable. These devices (or methods) must measure and record the values for these operating parameters at the frequencies indicated in table 3 to this subpart at all times. The devices must be positioned to provide a representative measurement of the parameter monitored.

(b) You must install, calibrate (to manufacturers' specifications), maintain, and operate a device or method for measuring the use of any stack that could be used to bypass the control device. The measurement must include the date, time, and duration of the use of the bypass stack.

(c) If you are using a fabric filter to comply with the requirements of this subpart, you must install, calibrate, maintain, and continuously operate a bag leak detection system as specified in paragraphs (c)(1) through (8) of this section:

(1) You must install and operate a bag leak detection system for each exhaust stack of the fabric filter. The bag leak sensor(s) must be installed in a position(s) that will be representative of the relative or absolute particulate matter loadings for each exhaust stack, roof vent, or compartment of the fabric filter;

(2) Each bag leak detection system must be installed, operated, calibrated, and maintained in a manner consistent with the manufacturer's written specifications and recommendations; and in accordance with the guidance provided in EPA–454/R–98–015 (incorporated by reference, see § 60.17);

(3) The bag leak detection system must be certified by the manufacturer to be capable of detecting particulate matter emissions at concentrations of 1 milligrams per actual cubic meter or less;

(4) The bag leak detection system sensor must provide output of relative or absolute particulate matter loadings;

(5) The bag leak detection system must be equipped with a device to continuously record the output signal from the sensor;

(6) The bag leak detection system must be equipped with an alarm system that will alert automatically an operator when an increase in relative particulate matter emissions over a preset level is detected. The alarm must be located where it is observed easily by operating personnel;

(7) For positive pressure fabric filter systems, a bag leak detection system must be installed in each baghouse compartment or cell. For negative pressure or induced air fabric filters, the bag leak detector must be installed downstream of the fabric filter; and

(8) Where multiple detectors are required, the system's instrumentation and alarm may be shared among detectors.

(d) If you are required to petition the EPA for operating limits under § 60.3024, you must install, calibrate (to the manufacturers' specifications), maintain, and operate the equipment necessary to monitor compliance with the site-specific operating limits

established using the procedures in § 60.3024.

■ 91. Amend § 60.3046 by revising the introductory text, paragraphs (b) through (e), and (g), and adding paragraphs (o) (p), (q), and (r) to read as follows:

§ 60.3046 What records must I keep?

You must maintain the information specified in paragraphs (a) through (q) of this section, as applicable, for a period of at least 5 years.

* * * * *

(b) Records of the data described in paragraphs (b)(1) through (10) of this section.

(1) The OSWI unit charge dates, times, weights, and total daily charge rates.

(2) The combustion chamber operating temperature every 15 minutes of operation.

(3) For each OSWI unit with a wet scrubber, the liquor flow rate to the wet scrubber inlet; pressure drop across the wet scrubber system or amperage to the wet scrubber; and liquor pH at the outlet of the wet scrubber, every 15 minutes of operation.

(4) For each OSWI unit with a dry scrubber, the injection rate of each sorbent, every 15 minutes of operation.

(5) For each OSWI unit with an electrostatic precipitator, the secondary voltage, secondary current, and secondary electric power, every 15 minutes of operation.

(6) For each OSWI unit with a fabric filter, the date, time, and duration of each alarm; the times corrective action was initiated and completed; and a brief description of the cause of the alarm and the corrective action taken. You must also record the percent of the operating time during each 6-month period that the alarm sounds, calculated as specified in § 60.3023(f).

(7) For OSWI units that establish operating limits for controls under § 60.3024, you must maintain data collected for all operating parameters used to determine compliance with the operating limits.

(8) For OSWI units that use a carbon monoxide CEMS, all 1-hour average concentrations of carbon monoxide and oxygen.

(9) All 12-hour rolling average values of carbon monoxide emissions, corrected to 7 percent oxygen (except during periods of startup and shutdown), and all 3-hour rolling average values of continuously monitored operating parameters, and total daily charge rates, as applicable.

(10) Records of the dates, times, and durations of any bypass of the control device.

(c) Records of the start date and time and duration in hours of each malfunction of operation (*i.e.,* process equipment) or the air pollution control and monitoring equipment and description of the malfunction.

(d) Records of actions taken during periods of malfunction to minimize emissions in accordance with § 60.11(d), including corrective actions to restore malfunctioning process and air pollution control and monitoring equipment to its normal or usual manner of operation.

(e) Start date, start time, and duration in hours for each period for which monitoring data show a deviation from the carbon monoxide emissions limit in table 2 or 2a to this subpart, a deviation from the operating limits in table 3 to this subpart, or a deviation from other operating limits established under § 60.3024. Include a description of the deviation, reasons for the deviation, and a description of corrective actions taken. You must record the start date, start time, and duration in hours for each period when all qualified operators were not accessible in accordance with § 60.3020.

* * * * *

(g) For carbon monoxide continuous emissions monitoring systems, document the results of your annual performance evaluations, daily drift tests and quarterly accuracy determinations according to Procedure 1 of Appendix F of this part.

* * * * *

(o) If you comply with the substitute means of compliance demonstration requirements in § 60.3032, you must keep the records specified in paragraphs (o)(1) through (3) of this section.

(1) Records of data collected as required in § 60.3032(a)(2).

(2) Copy of the representative performance test used to demonstrate initial compliance; and

(3) Documentation of how the test in paragraph (o)(2) of this section is representative of the unit as required in § 60.3032(b)(2).

(p) If you comply with the continuous compliance requirements in § 60.3033(d), you must keep records of the following elements:

(1) Start and end times the unit is operated when waste is being combusted.

(2) Total mass of waste burned for each waste category (*i.e.,* identity and weight of each waste category such as solid waste, food waste, wood or yard waste), summed for each calendar quarter.

(3) Total mass of waste burned each calendar quarter.

(4) The amount of waste burned in each waste category as a percentage of total waste burned each calendar quarter.

(5) Waste profile established under § 60.3023(g).

(6) Temperature of unit combustion chamber and description of where temperature is measured, as a 3-hour average for each batch operation.

(7) Charge rate (in tons per day) of each operation.

(8) For each very small municipal waste combustion unit or institutional waste incineration unit with a capacity less than or equal to 10 tons per day using a wet scrubber, dry scrubber, electrostatic precipitator, or fabric filter, the records specified in paragraph (b)(3) through (10) of this section, as applicable.

(9) For each calendar quarter, you must record whether your waste profile meets the requirement in paragraph § 60.3033(d)(1)(iii).

(q) Copies of any notifications submitted pursuant to §§ 60.2993 and 60.3061.

■ 92. Amend § 60.3049 by revising the introductory text to read as follows:

§ 60.3049 What information must I submit following my initial performance test?

Unless you choose to comply with the substitute means of compliance demonstration requirements in § 60.3032, you must submit the information specified in paragraphs (a) through (c) of this section no later than 60 days following the initial performance test. All reports must be signed by the facilities manager.

* * * * *

■ 93. Revise § 60.3050 to read as follows:

§ 60.3050 When must I submit my annual report?

You must submit an annual report no later than 12 months following the submission of the information in § 60.3049, unless you choose to comply with the substitute means of compliance demonstration requirements in § 60.3032. If you choose to comply with the substitute means of compliance demonstration requirements in § 60.3032, you must submit an annual report no later than 12 months following the submission of the information in § 60.3032(b). You must submit subsequent reports no more than 12 months following the previous report. The permit will address the submittal of annual reports for a unit with an operating permit required under title V of the Clean Air Act.

■ 94. Revise and republish § 60.3051 to read as follows:

§ 60.3051 What information must I include in my annual report?

The annual report required under § 60.3050 must include the items listed in paragraphs (a) through (k) of this section. If you have a deviation from the operating limits or the emission limitations, you must also submit deviation reports as specified in §§ 60.3052 through 60.3054.

(a) Company name and address.

(b) Statement by the owner or operator, with their name, title, and signature, certifying the truth, accuracy, and completeness of the report. Such certifications must also comply with the requirements of 40 CFR 70.5(d) or 40 CFR 71.5(d). If your report is submitted via CEDRI, the certifier's electronic signature during the submission process replaces this requirement.

(c) Date of report and beginning and ending dates of the reporting period. You are no longer required to provide the date of report when the report is submitted via CEDRI.

(d) Identification of each OSWI unit, and for each OSWI unit, the parameters monitored and values for the operating limits established pursuant to § 60.3023 or § 60.3024.

(e) If no deviations from any emission limitation or operating limit that applies to you have occurred during the annual reporting period, a statement that there were no deviations from the emission limitations or operating limits during the reporting period. If you use a CMS to monitor emissions or operating parameters and there were no periods during which any CMS was inoperative, inactive, malfunctioning or out of control, a statement that no monitoring system used to determine compliance with the emission limitations or operating limits was inoperative, inactive, malfunctioning or out of control.

(f) The highest recorded 12-hour average and the lowest recorded 12-hour average, as applicable, for carbon monoxide emissions if you are using a CEMS to demonstrate continuous compliance and the highest recorded 3-hour average and the lowest recorded 3-hour average, as applicable, for each operating parameter recorded for the calendar year being reported.

(g) [Reserved].

(h) If a performance test was conducted during the reporting period, identification of the OSWI unit tested, the pollutant(s) tested, and the date of the performance test. Submit, following the procedure specified in § 60.3056(b), the performance test report no later than the date that you submit the annual report.

(i) If you met the requirements of § 60.3035(a) or (b) and did not conduct a performance test during the reporting period, you must state that you met the requirements of § 60.3035(a) or (b), and, therefore, you were not required to conduct a performance test during the reporting period.

(j) The start date, start time, and duration in hours for each period of operation when all qualified OSWI unit operators were unavailable for more than 12 hours, but less than 2 weeks.

(k) If you are complying with the continuous compliance requirements in § 60.3033(d) and have had no deviations from maintaining the percentage of waste burned in each waste category within +/− 15 percent of the percentage established for that waste category for each calendar quarter for the reporting period, and the OSWI unit has been operated within the operating parameter limits established during the representative performance test identified in the information submitted as required in § 60.3032(b) or the performance test conducted by the source using the test methods listed in table 2a to this subpart and the procedures in § 60.3027, a statement that there were no deviations from the percentage of waste burned in each category and the OSWI unit has been operated within the established operating parameter limits.

■ 95. Amend § 60.3052 by revising the section heading and paragraph (a) to read as follows:

§ 60.3052 What other reports must I submit if I have a deviation?

(a) You must submit a deviation report as specified in paragraphs (a)(1) through (3) of this section:

(1) If your OSWI unit fails to meet any requirement or obligation established by this subpart, including but not limited to any emission limitation, operating limit, or operator qualification and accessibility requirements.

(2) If your OSWI unit fails to meet any term or condition that is adopted to implement an applicable requirement in this subpart and that is included in the operating permit for any unit that meets the requirements in § 60.2991 and is required to obtain such a permit.

(3) If you deviate from the requirements to have a qualified operator accessible as specified in § 60.3020, you must meet the requirements of § 60.3054.

* * * * *

■ 96. Revise § 60.3053 to read as follows:

§ 60.3053 What must I include in the deviation report?

In each report required under § 60.3052, you must include the company name and address and the beginning and ending dates for the reporting period. For any pollutant or operating parameter that deviated from the emission limitations, operating limits or other requirement specified in this subpart, or for each CMS that experienced downtime or was out of control, include the items described in paragraphs (a) through (g) of this section, as applicable. If you are complying with the continuous compliance requirements in § 60.3033(d), you must also include the items described in paragraphs (h) and (i) of this section. You must identify the OSWI unit, and as applicable, the CMS, associated with the information required in paragraphs (a) through (i) of this section in your deviation report.

(a) Identification of the emission limit, operating parameter or other requirement, except as provided in paragraphs (h) and (i) of this section, from which there was a deviation and the start date, start time, and duration in hours of each deviation.

(b) For each deviation identified in paragraph (a) of this section, the averaged and recorded data for those dates, including, when applicable, the information recorded under § 60.3046(b)(9) and (c) through (e) for the calendar period being reported.

(c) For each deviation identified in paragraph (a) of this section, the cause of each deviation from the emission limitations, operating limits or other requirement and your corrective actions.

(d) For each CMS, the start date, start time, duration in hours, and cause for each instance of monitor downtime (other than downtime associated with zero, span, and other routine calibration checks).

(e) For each CMS, the start date, start time, duration in hours, and corrective action taken for each instance that the monitor is out of control.

(f) The start date, start time, and duration in hours of any bypass of the control device and your corrective actions.

(g) For batch OSWI units, the start date, start time, and duration in hours of any deviation from the requirements to have a qualified operator accessible as required in § 60.3014.

(h) If you are complying with the continuous compliance requirements in § 60.3033(d), you must identify each calendar quarter when your waste profile did not meet the requirements in § 60.3033(d)(1)(iii). For each deviation, you must identify each waste category

that did not meet the percentage requirements, the established percentage of total waste burned on a mass basis for that waste category in your waste profile, and the actual percentage of total waste burned on a mass basis for that waste category during the calendar quarter.

(i) If you are complying with the continuous compliance requirements in § 60.3033(d), for each deviation of an operating parameter limit, identification of the operating parameter from which there was a deviation and the start date, start time, duration in hours, and cause for each deviation from the operating parameter limits established during the representative performance test identified in the information submitted as required in § 60.3032(b) or a performance test of the unit conducted using the test methods listed in table 2a to this subpart and the procedures in § 60.3027 as required in § 60.3030(d) or § 60.3036(b).

■ 97. Revise § 60.3056 to read as follows:

§ 60.3056 In what form can I submit my reports?

(a) You must submit annual and deviation reports electronically or in paper format, postmarked on or before the submittal due dates. Beginning on June 30, 2026, or once the reporting template for this subpart has been available on the Compliance and Emissions Data Reporting Interface (CEDRI) website (*https://www.epa.gov/electronic-reporting-air-emissions/cedri*) for one year, whichever date is later, you must submit all subsequent annual compliance reports and deviation reports using the appropriate electronic report template on the CEDRI website for this subpart and following the procedure specified in paragraph (c) of this section. The date report templates become available will be listed on the CEDRI website. Unless the Administrator or delegated state agency or other authority has approved a different schedule for submission of reports, the report must be submitted by the deadline specified in this subpart, regardless of the method in which the report is submitted.

(b) Beginning on December 29, 2025, within 60 days after the date of completing each performance test or CEMS performance evaluation that includes a relative accuracy test audit (RATA) required by this subpart, you must submit the results following the procedures specified in paragraph (c) of this section. You must submit the report in a file format generated using the EPA's Electronic Reporting Tool (ERT). Alternatively, you may submit an electronic file consistent with the extensible markup language (XML) schema listed on the EPA's ERT website (*https://www.epa.gov/electronic-reporting-air-emissions/electronic-reporting-tool-ert*) accompanied by the other information required by § 60.8(f)(2) in portable document format (PDF). If your performance test consists solely of opacity measurements, the results do not need to be submitted in the format generated by the ERT. Instead, you may submit a PDF of the results of the opacity measurements to the EPA via CEDRI.

(c) If you are required to submit reports following the procedure specified in this paragraph (c), you must submit reports to the EPA via CEDRI, which can be accessed through the EPA's Central Data Exchange (CDX) (*https://cdx.epa.gov/*). The EPA will make all the information submitted through CEDRI available to the public without further notice to you. Do not use CEDRI to submit information you claim as CBI. Although we do not expect persons to assert a claim of CBI, if you wish to assert a CBI claim for some of the information in the report, you must submit a complete file in the format specified in this subpart, including information claimed to be CBI, to the EPA following the procedures in paragraphs (c)(1) and (2) of this section. Clearly mark the part or all of the information that you claim to be CBI. Information not marked as CBI may be authorized for public release without prior notice. Information marked as CBI will not be disclosed except in accordance with procedures set forth in 40 CFR part 2. All CBI claims must be asserted at the time of submission. Anything submitted using CEDRI cannot later be claimed CBI. Furthermore, under CAA section 114(c), emissions data is not entitled to confidential treatment, and the EPA is required to make emissions data available to the public. Thus, emissions data will not be protected as CBI and will be made publicly available. You must submit the same file submitted to the CBI office with the CBI omitted to the EPA via the EPA's CDX as described earlier in this paragraph (c).

(1) The preferred method to receive CBI is for it to be transmitted electronically using email attachments, File Transfer Protocol, or other online file sharing services. Electronic submissions must be transmitted directly to the OAQPS CBI Office at the email address *oaqps_cbi@epa.gov,* and as described above, should include clear CBI markings. ERT files should be flagged to the attention of the Group Leader, Measurement Policy Group; all other files should be flagged to the attention of the Other Solid Waste Incinerator Units Sector Lead. If assistance is needed with submitting large electronic files that exceed the file size limit for email attachments, and if you do not have your own file sharing service, please email *oaqps_cbi@epa.gov* to request a file transfer link.

(2) If you cannot transmit the file electronically, you may send CBI information through the postal service to the following address: U.S. EPA, Attn: OAQPS Document Control Officer, Mail Drop: C404–02, 109 T.W. Alexander Drive, P.O. Box 12055, RTP, NC 27711. In addition to the OAQPS Document Control Officer, ERT files should also be sent to the attention of the Group Leader, Measurement Policy Group, and all other files should also be sent to the attention of the Other Solid Waste Incinerator Units Sector Lead. The mailed CBI material should be double wrapped and clearly marked. Any CBI markings should not show through the outer envelope.

(d) If you are required to electronically submit a report through CEDRI in the EPA's CDX, you may assert a claim of EPA system outage for failure to timely comply with the reporting requirement. To assert a claim of EPA system outage, you must meet the requirements outlined in paragraphs (d)(1) through (7) of this section.

(1) You must have been or will be precluded from accessing CEDRI and submitting a required report within the time prescribed due to an outage of either the EPA's CEDRI or CDX systems.

(2) The outage must have occurred within the period beginning five business days prior to the date that the submission is due.

(3) The outage may be planned or unplanned.

(4) You must submit notification to the Administrator in writing as soon as possible following the date you first knew, or through due diligence should have known, that the event may cause or has caused a delay in reporting.

(5) You must provide to the Administrator a written description identifying:

(i) The date(s) and time(s) when CDX or CEDRI was accessed and the system was unavailable;

(ii) A rationale for attributing the delay in reporting beyond the regulatory deadline to EPA system outage;

(iii) A description of the measures taken or to be taken to minimize the delay in reporting; and

(iv) The date by which you propose to report, or if you have already met the reporting requirement at the time of the notification, the date you reported.

(6) The decision to accept the claim of EPA system outage and allow an extension to the reporting deadline is solely within the discretion of the Administrator.

(7) In any circumstance, the report must be submitted electronically as soon as possible after the outage is resolved.

(e) If you are required to electronically submit a report through CEDRI in the EPA's CDX, you may assert a claim of force majeure for failure to timely comply with the reporting requirement. To assert a claim of force majeure, you must meet the requirements outlined in paragraphs (e)(1) through (5) of this section.

(1) You may submit a claim if a force majeure event is about to occur, occurs, or has occurred or there are lingering effects from such an event within the period beginning five business days prior to the date the submission is due. For the purposes of this section, a force majeure event is defined as an event that will be or has been caused by circumstances beyond the control of the affected facility, its contractors, or any entity controlled by the affected facility that prevents you from complying with the requirement to submit a report electronically within the time prescribed. Examples of such events are acts of nature (*e.g.,* hurricanes, earthquakes, or floods), acts of war or terrorism, or equipment failure or safety hazard beyond the control of the affected facility (*e.g.,* large scale power outage).

(2) You must submit notification to the Administrator in writing as soon as possible following the date you first knew, or through due diligence should have known, that the event may cause or has caused a delay in reporting.

(3) You must provide to the Administrator:

(i) A written description of the force majeure event;

(ii) A rationale for attributing the delay in reporting beyond the regulatory deadline to the force majeure event;

(iii) A description of the measures taken or to be taken to minimize the delay in reporting; and

(iv) The date by which you propose to report, or if you have already met the reporting requirement at the time of the notification, the date you reported.

(4) The decision to accept the claim of force majeure and allow an extension to the reporting deadline is solely within the discretion of the Administrator.

(5) In any circumstance, the reporting must occur as soon as possible after the force majeure event occurs.

■ 98. Amend § 60.3062 by removing and reserving paragraph (b) to read as follows:

§ 60.3062 What is an air curtain incinerator?

* * * * *

(b) [Reserved].

■ 99. Revise § 60.3066(b) to read as follows:

§ 60.3066 What are the emission limitations for air curtain incinerators that burn only wood waste, clean lumber, and yard waste?

* * * * *

(b) The limitations in paragraph (a) of this section apply at all times.

■ 100. Revise § 60.3067(a) to read as follows:

§ 60.3067 How must I monitor opacity for air curtain incinerators that burn only wood waste, clean lumber, and yard waste?

(a) Use EPA Method 9 of Appendix A to this part or ASTM D7520–16 (incorporated by reference, see § 60.17), to determine compliance with the opacity limitation.

* * * * *

■ 101. Revise § 60.3068(d) to read as follows:

§ 60.3068 What are the recordkeeping and reporting requirements for air curtain incinerators that burn only wood waste, clean lumber, and yard waste?

* * * * *

(d) Before December 29, 2025, submit initial and annual opacity test reports as electronic or paper copy on or before the applicable submittal date. On and after December 29, 2025, within 60 days after the date of completing the initial opacity test and each annual opacity test required by this subpart, you must submit the results of the opacity test following the procedures specified in § 60.3056(b).

* * * * *

§ 60.3069 [Removed and reserved].

■ 102. Remove and reserve § 60.3069.

■ 103. Revise § 60.3076(d) to read as follows:

§ 60.3076 What equations must I use?

* * * * *

(d) *Carbon monoxide pollutant rate.* When hourly average pollutant rates (E_h) are obtained (*e.g.,* CEMS values), compute the rolling average carbon monoxide pollutant rate (E_a) for each 12-hour period using the following equation:

Equation 2 to Paragraph (d)

$$E_a = \frac{1}{12}\sum_{j=1}^{12} E_{hj} \qquad \text{(Eq. 2)}$$

Where:

E_a = Average carbon monoxide pollutant rate for the 12-hour period, parts per million (ppm) corrected to 7 percent O_2. Note that a 12-hour period may include CEMS data during startup and shutdown, as defined in the subpart, in which case the period will not consist entirely of data that have been corrected to 7 percent O_2.

E_{hj} = Hourly arithmetic average pollutant rate for hour ''j,'' ppm corrected to 7 percent O_2. CEMS data during startup and shutdown, as defined in the subpart, are not corrected to 7 percent oxygen, and are measured at stack oxygen content.

■ 104. Amend § 60.3078 by:

■ a. Revising the definition of ''Administrator'';

■ b. Adding the definition of ''CEMS data during start up and shutdown'';

■ c. Removing the definition of ''Collected from'';

■ d. Revising the definitions of ''Deviation'', ''Low-level radioactive waste'', ''Modification or modified unit'', ''Particulate matter'', and ''Reconstruction'';

■ e. Adding the definitions of ''Rudimentary combustion device'' and ''Small, remote incinerator'';

■ f. Revising the definition of ''Very small municipal waste combustion unit''; and

■ g. Adding the definition of ''Waste profile''.

The revisions and additions read as follows:

§ 60.3078 What definitions must I know?

* * * * *

Administrator means:

(1) For approved and effective state section 111(d)/129 plans, the Director of the state air pollution control agency, or his or her delegate;

(2) For Federal section 111(d)/129 plans, the Administrator of the EPA, an employee of the EPA, the Director of the state air pollution control agency, or employee of the state air pollution control agency to whom the authority has been delegated by the Administrator of the EPA to perform the specified task; and

(3) For NSPS, the Administrator of the EPA, an employee of the EPA, the Director of the state air pollution control agency, or employee of the state air pollution control agency to whom the authority has been delegated by the Administrator of the EPA to perform the specified task.

* * * * *

CEMS data during startup and shutdown means CEMS data collected

during the first hours of a OSWI startup from a cold start until waste is fed to the unit and the hours of operation following the cessation of waste material being fed to the OSWI during a unit shutdown. For each startup event, the length of time that CEMS data may be claimed as being CEMS data during startup must be 48 operating hours or less. For each shutdown event, the length of time that CEMS data may be claimed as being CEMS data during shutdown must be 24 operating hours or less.

* * * * *

Deviation means any instance in which a unit that meets the requirements in § 60.2991, or an owner or operator of such a source:

(1) Fails to meet any requirement or obligation established by this subpart, including but not limited to any emission limitation, operating limit, or operator qualification and accessibility requirements; and

(2) Fails to meet any term or condition that is adopted to implement an applicable requirement in this subpart and that is included in the operating permit for any unit that meets requirements in § 60.2991 and is required to obtain such a permit.

* * * * *

Low-level radioactive waste means waste material that contains radioactive nuclides emitting primarily beta or gamma radiation, or both, in concentrations or quantities that exceed applicable Federal or state standards for unrestricted release. Low-level radioactive waste is not high-level radioactive waste, spent nuclear fuel, or byproduct material as defined by the Atomic Energy Act of 1954 (42 U.S.C. 2014(e)(2)).

* * * * *

Modification or modified unit means an incineration unit that meets one of two criteria:

(1) The cumulative cost of the changes over the life of the unit exceeds 50 percent of the original cost of building and installing the unit (not including the cost of land) updated to current costs (current dollars). For an OSWI unit, to determine what systems are within the boundary of the unit used to calculate these costs, see the definition of OSWI unit.

(2) Any physical change in the unit or change in the method of operating it that increases the amount of any air pollutant emitted for which section 129 or section 111 of the Clean Air Act has established standards.

* * * * *

Particulate matter means total particulate matter emitted from OSWI units as measured by EPA Method 5 or EPA Method 29 of Appendix A of this part.

* * * * *

Reconstruction means rebuilding an incineration unit where the cumulative cost of the construction over the life of the incineration unit exceeds 50 percent of the original cost of building and installing the unit (not including land) updated to current costs (current dollars). For an OSWI unit, to determine what systems are within the boundary of the unit used to calculate these costs, see the definition of OSWI unit.

* * * * *

Rudimentary combustion device means a combustion device with capacity less than or equal to 10 tons per day that is designed and constructed without one or more of the following elements: (1) a stack, chimney, or pipe designed for the purpose of discharging flue gases from combustion; (2) mechanical draft to provide airflow; (3) burners designed to initiate and/or assist the combustion process, including burners designed to burn supplementary fuel; or (4) an ancillary power supply to operate.

* * * * *

Small, remote incinerator means an incinerator that combusts 3 tons per day or less of municipal-type solid waste and is more than 25 miles driving distance to the nearest municipal solid waste landfill.

* * * * *

Very small municipal waste combustion unit means any municipal waste combustion unit and small remote incinerator, as defined in this subpart, that has the capacity to combust less than 35 tons per day of municipal solid waste or refuse-derived fuel, as determined by the calculations in § 60.3076. As of December 29, 2025 small remote incinerators are considered very small municipal waste combustion units.

* * * * *

Waste profile means, for a very small municipal waste combustion unit or institutional waste incineration unit with a capacity less than or equal to 10 tons per day, the amount of each waste category burned as a percentage of total waste burned on a mass basis.

* * * * *

■ 105. Revise tables 1 and 2 to subpart FFFF of part 60 to read as follows:

Table 1 to Subpart FFFF of Part 60—Model Rule—Compliance Schedule

As stated in § 60.3000, you must comply with the following:

Complete this action	By this date [a]
Final compliance [b]	(Dates to be specified in state plan).[c]

[a] Site-specific schedules can be used at the discretion of the state.

[b] Final compliance means that you complete all process changes and retrofit of control devices so that, when the incineration unit is brought on line, all process changes and air pollution control devices necessary to meet the emission limitations operate as designed.

[c] The date can be no later than 3 years after the effective date of state plan approval or July 1, 2030, whichever is earlier.

Table 2 to Subpart FFFF of Part 60—Model Rule—Emission Limitations for That Apply to OSWI Units With Capacities Greater Than 10 Tons per Day

As stated in § 60.3022, you must comply with the following:

For the air pollutant	You must meet this emission limitation [a]	Using this averaging time	And determining compliance using this method
1. Cadmium	18 micrograms per dry standard cubic meter.	3-run average (1 hour minimum sample time per run).	Method 29 of Appendix A to this part.
2. Carbon monoxide	40 parts per million by dry volume.	3-run average (1 hour minimum sample time per run during performance test), and 12-hour rolling averages measured using CEMS [b].	Method 10, 10A, or 10B of Appendix A to this part and CEMS.
3. Dioxins/furans (total basis).	33 nanograms per dry standard cubic meter.	3-run average (1 hour minimum sample time per run).	Method 23 of Appendix A to this part.
4. Hydrogen chloride	15 parts per million by dry volume.	3-run average (1 hour minimum sample time per run).	Method 26A of Appendix A to this part.
5. Lead	226 micrograms per dry standard cubic meter.	3-run average (1 hour minimum sample time per run).	Method 29 of Appendix A to this part.
6. Mercury	74 micrograms per dry standard cubic meter.	3-run average (1 hour minimum sample time per run).	Method 29 of Appendix A to this part.

For the air pollutant	You must meet this emission limitation [a]	Using this averaging time	And determining compliance using this method
7. Opacity	10 percent	6-minute average (observe over three 1-hour test runs; *i.e.,* thirty 6-minute averages).	Method 9 of Appendix A to this part, or ASTM D7520–16 (incorporated by reference (IBR), see § 60.17), if the following conditions are met: 1. During the digital camera opacity technique (DCOT) certification procedure outlined in Section 9.2 of ASTM D7520–16, you or the DCOT vendor must present the plumes in front of various backgrounds of color and contrast representing conditions anticipated during field use such as blue sky, trees, and mixed backgrounds (clouds and/or a sparse tree stand). 2. You must also have standard operating procedures in place including daily or other frequency quality checks to ensure the equipment is within manufacturing specifications as outlined in Section 8.1 of ASTM D7520–16. 3. You must follow the recordkeeping procedures outlined in § 63.10(b)(1) of this subchapter for the DCOT certification, compliance report, data sheets, and all raw unaltered JPEGs used for opacity and certification determination. 4. You or the DCOT vendor must have a minimum of four independent technology users apply the software to determine the visible opacity of the 300 certification plumes. For each set of 25 plumes, the user may not exceed 15 percent opacity of any one reading and the average error must not exceed 7.5 percent opacity.
8. Oxides of nitrogen	103 parts per million by dry volume.	3-run average (1 hour minimum sample time per run).	Method 7, 7A, 7C, 7D, or 7E of Appendix A to this part, or ASME/ANSI PTC 19.10–1981 (IBR, see § 60.17) in lieu of Methods 7 and 7C only.
9. Particulate matter	0.013 grains per dry standard cubic foot.	3-run average (1 hour minimum sample time per run).	Method 5 or 29 of Appendix A to this part.
10. Sulfur dioxide	3.1 parts per million by dry volume.	3-run average (1 hour minimum sample time per run).	Method 6 or 6C of Appendix A to this part, or ASME/ANSI PTC 19.10–1981 (IBR, see § 60.17) in lieu of Method 6 only.

[a] All emission limitations (except for opacity and CEMS data during startup and shutdown) are measured at 7 percent oxygen, dry basis at standard conditions. CEMS data during startup and shutdown are measured at stack oxygen content.
[b] Calculated each hour as the average of the previous 12 operating hours.

■ 106. Add new table 2a to subpart FFFF of part 60 to read as follows:

Table 2a to Subpart FFFF of Part 60—Model Rule—Emission Limitations That Apply to OSWI Units With Capacities Less Than or Equal to 10 Tons per Day On or After [Date To Be Specified in State Plan] [a]

As stated in § 60.3022, you must comply with the following:

For the air pollutant	You must meet this emission limitation [b]	Using this averaging time	And determining compliance using this method
1. Cadmium	2,000 micrograms per dry standard cubic meter.	3-run average (1 hour minimum sample time per run).	Method 29 of Appendix A to this part.
2. Carbon monoxide	220 parts per million by dry volume.	3-run average (1 hour minimum sample time per run during performance test), and 12-hour rolling averages measured using CEMS [c].	Method 10, 10A, or 10B of Appendix A to this part and CEMS.
3a. Dioxins/furans (total mass basis) [d].	4,700 nanograms per dry standard cubic meter.	3-run average (1 hour minimum sample time per run).	Method 23 of Appendix A to this part.
3b. Dioxins/furans (toxic equivalency basis) [d].	86 nanograms per dry standard cubic meter.	3-run average (1 hour minimum sample time per run).	Method 23 of Appendix A to this part.
4. Hydrogen chloride	500 parts per million by dry volume.	3-run average (1 hour minimum sample time per run).	Method 26A of Appendix A to this part.
5. Lead	32,000 micrograms per dry standard cubic meter.	3-run average (1 hour minimum sample time per run).	Method 29 of Appendix A to this part.
6. Mercury	69 micrograms per dry standard cubic meter.	3-run average (1 hour minimum sample time per run).	Method 29 of Appendix A to this part.

For the air pollutant	You must meet this emission limitation [b]	Using this averaging time	And determining compliance using this method
7. Opacity	10 percent	6-minute average (observe over three 1-hour test runs; *i.e.,* thirty 6-minute averages).	Method 9 of Appendix A to this part, or ASTM D7520–16(IBR, see § 60.17), if the following conditions are met: 1. During the digital camera opacity technique (DCOT) certification procedure outlined in Section 9.2 of ASTM D7520–16, you or the DCOT vendor must present the plumes in front of various backgrounds of color and contrast representing conditions anticipated during field use such as blue sky, trees, and mixed backgrounds (clouds and/or a sparse tree stand). 2. You must also have standard operating procedures in place including daily or other frequency quality checks to ensure the equipment is within manufacturing specifications as outlined in Section 8.1 of ASTM D7520–16. 3. You must follow the recordkeeping procedures outlined in § 63.10(b)(1) of this subchapter for the DCOT certification, compliance report, data sheets, and all raw unaltered JPEGs used for opacity and certification determination. 4. You or the DCOT vendor must have a minimum of four independent technology users apply the software to determine the visible opacity of the 300 certification plumes. For each set of 25 plumes, the user may not exceed 15 percent opacity of any one reading and the average error must not exceed 7.5 percent opacity.
8. Oxides of nitrogen	210 parts per million by dry volume.	3-run average (1 hour minimum sample time per run).	Method 7, 7A, 7C, 7D, or 7E of Appendix A to this part, or ASME/ANSI PTC 19.10–1981 (IBR, see § 60.17) in lieu of Methods 7 and 7C only.
9. Particulate matter	280 milligrams per dry standard cubic meter.	3-run average (1 hour minimum sample time per run).	Method 5 or 29 of Appendix A to this part.
10. Sulfur dioxide	130 parts per million by dry volume.	3-run average (1 hour minimum sample time per run).	Method 6 or 6C of Appendix A to this part, or ASME/ANSI PTC 19.10–1981(IBR, see § 60.17) in lieu of Method 6 only.

[a] The date can be no later than 3 years after the effective date of state plan approval or July 1, 2030, whichever is earlier.
[b] All emission limitations (except for opacity) are measured at 7 percent oxygen, dry basis at standard conditions. CEMS data during startup and shutdown are measured at stack oxygen content.
[c] Calculated each hour as the average of the previous 12 operating hours.
[d] For dioxins/furans, you must meet either the total mass basis limit or the toxic equivalency basis limit.

■ 107. Revise tables 3, 4 and 5 to subpart FFFF of part 60 to read as follows:

Table 3 to Subpart FFFF of Part 60—Model Rule—Operating Limits for Incinerators

As stated in § 60.3023, you must comply with the following:

For these operating parameters	You must establish operating limits	And monitoring using these minimum frequencies		
		Data measurement	Data recording	Averaging time
1. Charge rate	Maximum charge rate	Periodic	For batch units, each batch. For continuous or intermittent units, every hour.	Daily for batch units or units complying with § 60.3033(d). 3-hour rolling for continuous and intermittent units.[a]
2. Combustion temperature	Minimum combustion chamber operating temperature.	Continuous	Every 15 minutes	3-hour rolling.[a]
3. Pressure drop across the wet scrubber or amperage to wet scrubber.	Minimum pressure drop or amperage.	Continuous	Every 15 minutes	3-hour rolling.[a]
4. Wet scrubber liquor flow rate	Minimum flow rate at inlet to the scrubber.	Continuous	Every 15 minutes	3-hour rolling.[a]
5. Wet scrubber liquor pH	Minimum pH at scrubber outlet	Continuous	Every 15 minutes	3-hour rolling.[a]
6. Dry scrubber sorbent injection	Minimum injection rate of each sorbent.	Continuous	Every 15 minutes	3-hour rolling.[a]
7. Electrostatic precipitator secondary electric power.	Minimum secondary electric power, calculated from the secondary voltage and secondary current.	Continuous	Every 15 minutes	3-hour rolling.[a]
8. Bag leak detection system alarm time.	Alarm time <5 percent of the operating time during a 6-month period.	Continuous	Each date and time of alarm start and stop.	Calculate alarm time as specified in § 60.3023(f).
9. Waste profile	The amount of each waste category burned as a percentage of total waste burned on a mass basis.	Periodic	For batch units, each batch. For continuous or intermittent units, every hour.	Calendar quarter.

[a] Calculated each hour as the average of the previous 3 operating hours.

Table 4 to Subpart FFFF of Part 60—Model Rule—Requirements for Continuous Emission Monitoring Systems (CEMS)

As stated in § 60.3039, you must comply with the following:

For the following pollutants	Use the following span values for your CEMS	Use the following performance specifications (P.S.) in Appendix B of this part for your CEMS	If needed to meet minimum data requirements, use the following alternate methods in Appendix A of this part to collect data
1. Carbon Monoxide	125 percent of the maximum hourly potential carbon monoxide emissions of the waste combustion unit.	P.S.4A	Method 10.
2. Oxygen	25 percent oxygen	P.S.3	Method 3A or 3B of Appendix A to this part, or ASME/ANSI PTC 19.10–1981 (IBR, see § 60.17)) in lieu of Method 3B only.

Table 5 to Subpart FFFF of Part 60—Model Rule—Summary of Reporting Requirements

As stated in § 60.3048, you must comply with the following:

Report	Due date	Contents	Reference
1. Initial test report	a. No later than 60 days following the initial performance test.	i. Complete test report for the initial performance test; and.	§ 60.3049.
		ii. The values for the site-specific operating limits	§ 60.3049.
2. Waste management plan	a. No later than 60 days following the initial performance test.	i. Reduction or separation of recyclable materials; and	§§ 60.3010 through 60.3012.
		ii. Identification of additional waste management measures and how they will be implemented	§§ 60.3010 through 60.3012.
3. Annual Report	a. No later than 12 months following the submission of the initial test report. Subsequent reports are to be submitted no more than 12 months following the previous report.	i. Company Name and address;	§§ 60.3050 and 60.3051.
		ii. Statement and signature by the owner or operator;	§§ 60.3050 and 60.3051.
		iii. Date of report;	§§ 60.3050 and 60.3051.
		iv. Values for the operation limits;	§§ 60.3050 and 60.3051.
		v. If no deviations or malfunctions were reported, a statement that no deviations occurred during the reporting period;	§§ 60.3050 and 60.3051.
		vi. Highest and lowest recorded 12-hour averages, as applicable, for carbon monoxide emissions and highest and lowest recorded 3-hour averages, as applicable, for each operating parameter recorded for the calendar year being reported;	§§ 60.3050 and 60.3051.
		vii. Information for deviations or malfunctions recorded under § 60.3046(b)(6) and (c) through (e);	§§ 60.3050 and 60.3051.
		viii. If a performance test was conducted during the reporting period, the results of the test;	§§ 60.3050 and 60.3051.
		ix. If a performance test was not conducted during the reporting period, a statement that the requirements of § 60.3035(a) or (b) were met; and	§§ 60.3050 and 60.3051.
		x. Documentation of periods when all qualified OSWI unit operators were unavailable for more than 12 hours but less than 2 weeks.	§§ 60.3050 and 60.3051.
		xi. For each very small municipal waste combustion unit or institutional waste incineration unit for which you demonstrate continuous compliance according to § 60.3033(d), if no deviations from the percentages established for each waste category according to the waste profile required in § 60.3033(d)(1) and the OSWI unit has been operated within the operating parameter limits, a statement that there were no deviations from the waste profile percentage requirements and the OSWI unit has been operated within the operating parameter limits.	§§ 60.3050 and 60.3051.
4. Emission limitation or operating limit deviation report.	a. By August 1 of that year for data collected during the first half of the calendar year. By February 1 of the following year for data collected during the second half of the calendar year.	i. Dates and times of deviation;	§§ 60.3052 and 60.3053.
		ii. Averaged and recorded data for those dates;	§§ 60.3052 and 60.3053.
		iii. Duration and causes of each deviation and the corrective actions taken.	§§ 60.3052 and 60.3053.
		iv. Copy of operating limit monitoring data and any test reports;	§ 60.3052 and 60.3053.
		v. Dates, times, and causes for monitor downtime incidents;	§§ 60.3052 and 60.3053.
		vi. Whether each deviation occurred during a period of startup, shutdown, or malfunction; and.	§§ 60.3052 and 60.3053.
		vii. Dates, times, and duration of any bypass of the control device.	§§ 60.3052 and 60.3053.

Report	Due date	Contents	Reference
5. Qualified operator deviation notification.	a. Within 10 days of deviation	i. Statement of cause of deviation; ii. Description of efforts to have an accessible qualified operator; and iii. The date a qualified operator will be accessible	§ 60.3054(a)(1). § 60.3054(a)(1). § 60.3054(a)(1).
6. Qualified operation deviation status report.	a. Every 4 weeks following deviation	i. Description of efforts to have an accessible qualified operator; ii. The date a qualified operator will be accessible; and iii. Request to continue operation.	§ 60.3054(a)(2). § 60.3054(a)(2). § 60.3054(a)(2).
7. Qualified operator deviation notification of resumed operation.	a. Prior to resuming operation	i. Notification that you are resuming operation.	§ 60.3054(b).

Note: This table is only a summary, see the referenced sections of the rule for the complete requirements.

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