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DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 73

[Docket No. FDA–2021–C–0925]

Listing of Color Additives Exempt From Certification; Galdieria Extract Blue; Confirmation of Effective Date

AGENCY: Food and Drug Administration, HHS.

ACTION: Final amendment; order; confirmation of effective date.

SUMMARY: The Food and Drug Administration (FDA or we) is confirming the effective date of June 26, 2025, for the final order that appeared in the **Federal Register** of May 12, 2025. The final order amends the color additive regulations to provide for the safe use of galdieria extract blue as a color additive at levels consistent with good manufacturing practice (GMP) in: non-alcoholic beverages and beverage bases, fruit drinks, fruit smoothies, fruit juices, vegetable juices, dairy-based smoothies, milk shakes and flavored milks, yogurt drinks, milk-based meal replacement and nutritional beverages, breakfast cereal coatings, hard candy, soft candy and chewing gum, flavored frostings, ice cream and frozen dairy desserts, frozen fruits, water ices and popsicles, gelatin desserts, puddings and custards, whipped cream, yogurt, frozen or liquid creamers (including non-dairy alternatives), and whipped toppings (including non-dairy alternatives).

DATES: The effective date of June 26, 2025, for the final order published in the **Federal Register** of May 12, 2025 (90 FR 20104), is confirmed.

ADDRESSES: For access to the docket to read background documents or comments received, go to *https://www.regulations.gov* and insert the docket number found in brackets in the heading of this final order into the ''Search'' box and follow the prompts, and/or go to the Dockets Management Staff, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852.

FOR FURTHER INFORMATION CONTACT: Stephanie A. Hice, Office of Food Chemical Safety, Dietary Supplements, and Innovation, Human Foods Program, Food and Drug Administration, 5001 Campus Dr., College Park, MD 20740, 301–348–1740 or Meridith L. Kelsch, Office of Policy, Regulations, and Information, Human Foods Program, Food and Drug Administration, 5001 Campus Dr., College Park, MD 20740, 240–402–2378.

SUPPLEMENTARY INFORMATION: In the **Federal Register** of May 12, 2025 (90 FR 20104), we amended the color additive regulations to add § 73.167 (21 CFR 73.167) ''Galdieria extract blue,'' to provide for the safe use of galdieria extract blue as a color additive at levels consistent with GMP in: non-alcoholic beverages and beverage bases, fruit drinks, fruit smoothies, fruit juices, vegetable juices, dairy-based smoothies, milk shakes and flavored milks, yogurt drinks, milk-based meal replacement and nutritional beverages, breakfast cereal coatings, hard candy, soft candy and chewing gum, flavored frostings, ice cream and frozen dairy desserts, frozen fruits, water ices and popsicles, gelatin desserts, puddings and custards, whipped cream, yogurt, frozen or liquid creamers (including non-dairy alternatives), and whipped toppings (including non-dairy alternatives).

We gave interested persons until June 11, 2025, to file objections or requests for a hearing (90 FR 20104). We received no objections or requests for a hearing on the final order. Therefore, we find that the effective date of the final order that published in the **Federal Register** of May 12, 2025, should be confirmed.

List of Subjects in 21 CFR Part 73

Color additives, Cosmetics, Drugs, Foods, Medical devices.

■ Therefore, under the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321, 341, 342, 343, 348, 351, 352, 355, 361, 362, 371, 379e) and under authority delegated to the Commissioner of Food and Drugs, we are giving notice that no objections or requests for a hearing were filed in response to the May 12, 2025, final order. Accordingly, the amendments issued thereby became effective June 26, 2025.

Grace R. Graham,

Deputy Commissioner for Policy, Legislation, and International Affairs.

[FR Doc. 2025–16046 Filed 8–20–25; 8:45 am]

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DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 73

[Docket No. FDA–2023–C–0544]

Listing of Color Additives Exempt From Certification; Calcium Phosphate; Confirmation of Effective Date

AGENCY: Food and Drug Administration, HHS.

ACTION: Final amendment; order; confirmation of effective date.

SUMMARY: The Food and Drug Administration (FDA or we) is confirming the effective date of June 26, 2025, for the final order that appeared in the **Federal Register** of May 12, 2025. The final order amends the color additive regulations to provide for the safe use of calcium phosphate as a color additive in ready-to-eat chicken products, white candy melts, doughnut sugar, and sugar for coated candies.

DATES: The effective date of June 26, 2025, for the final order published in the **Federal Register** of May 12, 2025 (90 FR 20097) is confirmed.

ADDRESSES: For access to the docket to read background documents or comments received, go to *https://www.regulations.gov* and insert the docket number found in brackets in the heading of this final order into the ''Search'' box and follow the prompts, and/or go to the Dockets Management Staff, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852.

FOR FURTHER INFORMATION CONTACT: Rachel Morissette, Office of Food Chemical Safety, Dietary Supplements, and Innovation, Human Foods Program, Food and Drug Administration, 5001 Campus Dr., College Park, MD 20740, 240–402–1278 or Barbara Little, Office of Policy, Regulations, and Information, Human Foods Program, Food and Drug

Administration, 5001 Campus Dr., College Park, MD 20740, 240–402–2378.

SUPPLEMENTARY INFORMATION: In the **Federal Register** of May 12, 2025 (90 FR 20097), we amended the color additive regulations to add § 73.80 (21 CFR 73.80) ''Calcium phosphate,'' to provide for the safe use of calcium phosphate as a color additive in ready-to-eat chicken products, white candy melts, doughnut sugar, and sugar for coated candies.

We gave interested persons until June 11, 2025, to file objections or requests for a hearing. We explained that, to file an objection, a person must, among other things, specify with particularity the provision(s) of the regulation to which they object and the grounds for the objection (90 FR 20097 at 20100). Within each objection, persons also must specifically state whether they request a hearing. We received two general comments, one that did not address calcium phosphate or color additives and one that disagreed with the order, but the comments did not meet the requirements to be considered an objection under 21 CFR 12.22(a)(2) or (3). Therefore, we find that the effective date of the final order that published in the **Federal Register** of May 12, 2025, should be confirmed.

List of Subjects in 21 CFR Part 73

Color additives, Cosmetics, Drugs, Foods, Medical devices.

Therefore, under the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321, 341, 342, 343, 348, 351, 352, 355, 361, 362, 371, 379e) and under authority delegated to the Commissioner of Food and Drugs, we are giving notice that no objections or requests for a hearing were filed in response to the May 12, 2025, final order. Accordingly, the amendments issued thereby became effective June 26, 2025.

Grace R. Graham,

Deputy Commissioner for Policy, Legislation, and International Affairs.

[FR Doc. 2025–16047 Filed 8–20–25; 8:45 am]

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DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 73

[Docket No. FDA–2024–C–0971]

Listing of Color Additives Exempt From Certification; Butterfly Pea Flower Extract; Confirmation of Effective Date

AGENCY: Food and Drug Administration, HHS.

ACTION: Final amendment; order; confirmation of effective date.

SUMMARY: The Food and Drug Administration (FDA or we) is confirming the effective date of June 26, 2025, for the final order that appeared in the **Federal Register** of May 12, 2025. The final order amends the color additive regulations to provide for the expanded safe use of butterfly pea flower extract as a color additive at levels consistent with good manufacturing practice (GMP) in: ready-to-eat cereals, crackers, snack mixes, hard pretzels, plain potato chips (restructured or baked), and plain corn chips, tortilla chips, and multigrain chips.

DATES: The effective date of June 26, 2025, for the final order published in the **Federal Register** of May 12, 2025 (90 FR 20101), is confirmed.

ADDRESSES: For access to the docket to read background documents or comments received, go to *https://www.regulations.gov* and insert the docket number found in brackets in the heading of this final order into the ''Search'' box and follow the prompts, and/or go to the Dockets Management Staff, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852.

FOR FURTHER INFORMATION CONTACT: Stephen DiFranco, Office of Food Chemical Safety, Dietary Supplements, and Innovation, Human Foods Program, Food and Drug Administration, 5001 Campus Dr., College Park, MD 20740, 240–402–2710 or Meridith L. Kelsch, Office of Policy, Regulations, and Information, Human Foods Program, Food and Drug Administration, 5001 Campus Dr., College Park, MD 20740, 240–402–2378.

SUPPLEMENTARY INFORMATION: In the **Federal Register** of May 12, 2025 (90 FR 20101), we amended the color additive regulations at § 73.69 (21 CFR 73.69) ''Butterfly pea flower extract,'' to provide for the expanded safe use of butterfly pea flower extract as a color additive at levels consistent with GMP in: ready-to-eat cereals, crackers, snack mixes, hard pretzels, plain potato chips (restructured or baked), and plain corn chips, tortilla chips, and multigrain chips.

We gave interested persons until June 11, 2025 (90 FR 20101 at 20101) to file objections or requests for a hearing. We explained that, to file an objection, persons must, among other things, specify with particularity the provision(s) of the regulation to which they object and the grounds for the objection (Id. at 20103). Within each objection, persons also must specifically state whether they request a hearing (Id.). We received one comment about labeling of the color additive, but the comment did not meet the requirements to be considered an objection under 21 CFR 12.22(a)(2) or (3). Therefore, we find that the effective date of the final order that published in the **Federal Register** of May 12, 2025, should be confirmed.

List of Subjects in 21 CFR Part 73

Color additives, Cosmetics, Drugs, Foods, Medical devices.

Therefore, under the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321, 341, 342, 343, 348, 351, 352, 355, 361, 362, 371, 379e) and under authority delegated to the Commissioner of Food and Drugs, we are giving notice that no objections or requests for a hearing were filed in response to the May 12, 2025, final order. Accordingly, the amendments issued thereby became effective June 26, 2025.

Grace R. Graham,

Deputy Commissioner for Policy, Legislation, and International Affairs.

[FR Doc. 2025–16045 Filed 8–20–25; 8:45 am]

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DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 862

[Docket No. FDA–2025–N–2219]

Medical Devices; Clinical Chemistry and Clinical Toxicology Devices; Classification of the Pharmacogenetic Assessment System

AGENCY: Food and Drug Administration, HHS.

ACTION: Final amendment; final order.

SUMMARY: The Food and Drug Administration (FDA, the Agency, or we) is classifying the pharmacogenetic assessment system into class II (special

controls). The special controls that apply to the device type are identified in this order and will be part of the codified language for classification of the pharmacogenetic assessment system. We are taking this action because we have determined that classifying the device into class II will provide a reasonable assurance of safety and effectiveness of the device. We believe this action will also enhance patients' access to beneficial innovative devices, in part by reducing regulatory burdens.

DATES: This order is effective August 21, 2025. The classification was applicable on October 31, 2018.

FOR FURTHER INFORMATION CONTACT: Dina Jerebitski, Center for Devices and Radiological Health, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 66, Rm. 3574, Silver Spring, MD 20993–0002, 301–796–2411, *Dina.Jerebitski@fda.hhs.gov.*

SUPPLEMENTARY INFORMATION:

I. Background

Upon request, FDA has classified the pharmacogenetic assessment system as class II (special controls), which we have determined will provide a reasonable assurance of safety and effectiveness. In addition, we believe this action will enhance patients' access to beneficial innovation, in part by reducing regulatory burdens by placing the device into a lower device class than the automatic class III assignment.

The automatic assignment of class III occurs by operation of law and without any action by FDA, regardless of the level of risk posed by the new device. Any device that was not in commercial distribution before May 28, 1976, is automatically classified as, and remains within, class III and requires premarket approval unless and until FDA takes an action to classify or reclassify the device (see 21 U.S.C. 360c(f)(1)). We refer to these devices as ''postamendments devices'' because they were not in commercial distribution prior to the date of enactment of the Medical Device Amendments of 1976, which amended the Federal Food, Drug, and Cosmetic Act (FD&C Act).

FDA may take a variety of actions in appropriate circumstances to classify or reclassify a device into class I or II. We may issue an order finding a new device to be substantially equivalent under section 513(i) of the FD&C Act (21 U.S.C. 360c(i)) to a predicate device that does not require premarket approval. We determine whether a new device is substantially equivalent to a predicate device by means of the procedures for premarket notification under section 510(k) of the FD&C Act (21 U.S.C. 360(k)) and part 807 (21 CFR part 807).

FDA may also classify a device through ''De Novo'' classification, a common name for the process authorized under section 513(f)(2) of the FD&C Act (see also part 860, subpart D (21 CFR part 860, subpart D)). Section 207 of the Food and Drug Administration Modernization Act of 1997 (Pub. L. 105–115) established the first procedure for De Novo classification. Section 607 of the Food and Drug Administration Safety and Innovation Act (Pub. L. 112–144) modified the De Novo application process by adding a second procedure. A device sponsor may utilize either procedure for De Novo classification.

Under the first procedure, the person submits a 510(k) for a device that has not previously been classified. After receiving an order from FDA classifying the device into class III under section 513(f)(1) of the FD&C Act, the person then requests a classification under section 513(f)(2).

Under the second procedure, rather than first submitting a 510(k) and then a request for classification, if the person determines that there is no legally marketed device upon which to base a determination of substantial equivalence, that person requests a classification under section 513(f)(2) of the FD&C Act.

Under either procedure for De Novo classification, FDA is required to classify the device by written order within 120 days. The classification will be according to the criteria under section 513(a)(1) of the FD&C Act. Although the device was automatically placed within class III, the De Novo classification is considered to be the initial classification of the device.

We believe this De Novo classification will enhance patients' access to beneficial innovation, in part by reducing regulatory burdens. When FDA classifies a device into class I or II via the De Novo process, the device can serve as a predicate for future devices of that type, including for 510(k)s (see section 513(f)(2)(B)(i) of the FD&C Act). As a result, other device sponsors do not have to submit a De Novo request or premarket approval application to market a substantially equivalent device (see section 513(i) of the FD&C Act, defining ''substantial equivalence''). Instead, sponsors can use the less burdensome 510(k) process, when necessary, to market their device.

II. De Novo Classification

On June 5, 2018, FDA received 23andMe, Inc.'s request for De Novo classification of the 23andMe Personal Genome Service (PGS) Pharmacogenetic Reports. FDA reviewed the request in order to classify the device under the criteria for classification set forth in section 513(a)(1) of the FD&C Act.

We classify devices into class II if general controls by themselves are insufficient to provide reasonable assurance of safety and effectiveness, but there is sufficient information to establish special controls that, in combination with the general controls, provide reasonable assurance of the safety and effectiveness of the device for its intended use (see section 513(a)(1)(B) of the FD&C Act). After review of the information submitted in the request, we determined that the device can be classified into class II with the establishment of special controls. FDA has determined that these special controls, in addition to the general controls, will provide reasonable assurance of the safety and effectiveness of the device.

Therefore, on October 31, 2018, FDA issued an order to the requester classifying the device into class II and subsequently issued a correction dated January 23, 2019. In this final order, FDA is codifying the classification of the device by adding 21 CFR 862.3364.[1] We have named the generic type of device ''pharmacogenetic assessment system,'' and it is identified as a qualitative in vitro molecular diagnostic system intended to detect nucleic acid variants isolated from human specimens for the purpose of assessing the presence of genetic variants that impact the metabolism, exposure, response, risk of adverse events, dosing, or mechanisms of prescription or over-the-counter medications. The intended use of the device must not include an indication for use in supporting or sustaining human life, being of substantial importance in preventing impairment of human health, or presenting a potential, unreasonable risk of illness or injury. FDA has identified the following risks to health associated specifically with this type of device and the measures required to mitigate these risks in table 1.

[1] FDA notes that the ''ACTION'' caption for this final order is styled as ''Final amendment; final order,'' rather than ''Final order.'' Beginning in December 2019, this editorial change was made to indicate that the document ''amends'' the Code of Federal Regulations. The change was made in accordance with the Office of Federal Register's (OFR) interpretations of the Federal Register Act (44 U.S.C. chapter 15), its implementing regulations (1 CFR 5.9 and parts 21 and 22), and the Document Drafting Handbook.

TABLE 1—PHARMACOGENETIC ASSESSMENT SYSTEM RISKS AND MITIGATION MEASURES

Identified risks to health	Mitigation measures
Incorrect test results (false positive or false negative results)	Special controls (1), (2), (3), (4), and (5).
Incorrect interpretation of test results	Special controls (1)(ii), (2), (3), (4), (5), and (6).
Incorrect action based on test results	Special controls (1)(ii), (2), (3), (4), and (6).

FDA has determined that special controls, in combination with the general controls, address these risks to health and provide reasonable assurance of safety and effectiveness. For a device to fall within this classification, and thus avoid automatic classification in class III, it would have to comply with the special controls named in this final order. The necessary special controls appear in the regulation codified by this final order. This device is subject to premarket notification requirements under section 510(k) of the FD&C Act.

III. Analysis of Environmental Impact

The Agency has determined under 21 CFR 25.34(b) that this action is of a type that does not individually or cumulatively have a significant effect on the human environment. Therefore, neither an environmental assessment nor an environmental impact statement is required.

IV. Paperwork Reduction Act of 1995

This final order establishes special controls that refer to previously approved collections of information found in other FDA regulations and guidance. These collections of information are subject to review by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3521). The collections of information in part 860, subpart D, regarding De Novo classification have been approved under OMB control number 0910–0844; the collections of information in 21 CFR part 814, subparts A through E, regarding premarket approval have been approved under OMB control number 0910–0231; the collections of information in part 807, subpart E, regarding premarket notification submissions have been approved under OMB control number 0910–0120; the collections of information in 21 CFR part 820 regarding quality system regulation have been approved under OMB control number 0910–0073; and the collections of information in 21 CFR parts 801 and 809 regarding labeling have been approved under OMB control number 0910–0485.

List of Subjects in 21 CFR Part 862

Medical devices.

Therefore, under the Federal Food, Drug, and Cosmetic Act and under authority delegated to the Commissioner of Food and Drugs, 21 CFR part 862 is amended as follows:

PART 862—CLINICAL CHEMISTRY AND CLINICAL TOXICOLOGY DEVICES

■ 1. The authority citation for part 862 continues to read as follows:

Authority: 21 U.S.C. 351, 360, 360c, 360e, 360j, 360l, 371.

■ 2. Add § 862.3364 to subpart D to read as follows:

§ 862.3364 Pharmacogenetic assessment system.

(a) *Identification.* A pharmacogenetic assessment system is a qualitative in vitro molecular diagnostic system intended to detect nucleic acid variants isolated from human specimens for the purpose of assessing the presence of genetic variants that impact the metabolism, exposure, response, risk of adverse events, dosing, or mechanisms of prescription or over-the-counter medications. The intended use of the device must not include an indication for use in supporting or sustaining human life, being of substantial importance in preventing impairment of human health, or presenting a potential, unreasonable risk of illness or injury.

(b) *Classification.* Class II (special controls). A pharmacogenetic assessment system must comply with the following special controls:

(1) Design verification and validation must include:

(i) Data appropriate, as determined by FDA, to demonstrate the analytical accuracy and reliability of the device in intended use specimens, including precision, reproducibility, accuracy, limits of detection, and interferences. This information must include:

(A) Data demonstrating appropriate, as determined by FDA, reproducibility for each genotype using each claimed sample type. Reproducibility data must be evaluated using specimens collected and processed in a manner consistent with the device's instructions for use, or, as determined by FDA, an appropriate alternative sample panel.

(B) Analytical data demonstrating the limits of detection, including the minimum amount of input deoxyribonucleic acid (DNA) that will consistently produce accurate results.

(C) Data demonstrating no clinically significant effects from endogenous and exogenous interferents relevant to each intended use specimen type. Interference data must also include an assessment of potentially interfering genetic sequences (*e.g.,* variants proximal to the variant of interest, pseudogenes).

(D) Validation data appropriate, as determined by FDA, to support specimen collection and handling claims.

(E) Clinical data generated in intended use patient populations demonstrating the pharmacogenetic association between the genetic variant tested and any clinical claims or therapy-related recommendations associated with that genotype.

(ii) Results from an appropriate, as determined by FDA, user comprehension study that demonstrate the intended user can use the device safely. The user comprehension study must be designed to include the following:

(A) Study participants from a statistically sufficient sample size and a demographically diverse (*e.g.,* age, education level) population that is representative of the intended use population and naive to use of the device, and

(B) An evaluation of all result comprehension concepts that are critical for safe use of the device.

(2) The labeling required under § 809.10 of this chapter must include:

(i) Clear information, written in language appropriate for the intended user, that describes instructions for how test results should be interpreted. These instructions must be supported by valid scientific evidence and include:

(A) Appropriate explanation of the claimed pharmacogenetic associations for all variants included in the test, any relevant variants not included in the test (*e.g.,* that may contribute to false negative results), and specific considerations by ethnicity, and

(B) Appropriate explanation of non-genetic and non-tested genetic factors that may impact interpretation of the test results;

(ii) Detailed descriptions of analytical performance including, as applicable, precision, reproducibility, accuracy, limits of detection, and interferences as specified in paragraph (b)(1)(i) of this section, in language appropriate for the intended user;

(iii) A warning statement that the patient should not use the test results to stop or change any medication, and that medications should always be taken as prescribed by a healthcare professional;

(iv) A limiting statement explaining that this test is not intended to inform the patient about their current state of health, including whether the patient should or should not take a medication, or how much of a medication the patient should take, as appropriate;

(v) A warning statement that the test does not diagnose any health conditions and is not a substitute for visits to a doctor or other healthcare professional; and

(vi) A prominent and conspicuous limiting statement that the test provides only a preliminary test result that needs to be confirmed using an independent pharmacogenetic test without such a limitation prior to making any medical decisions. Alternatively, appropriate design verification and validation activities, including the generation of robust analytical data demonstrating appropriate analytical accuracy and reliability of test results for each genetic variant included in the test report, must be performed that demonstrate that the test can be used to make well-informed clinical decisions.

(3) The test report must include an appropriate description of how the test results should be used by healthcare providers who may receive the test results from their patients, as applicable.

(4) Publicly available pre-purchase labeling with unrestricted access that contains the following information must be provided:

(i) A clear description of the test and its technology, the genotypes detected, and relevant clinical claims associated with each genotype;

(ii) A clear description of what information the test will provide. This includes variant information, the limitations associated with the test, and any precautionary information about the test the user should be aware of before purchase; and

(iii) A discussion of answers to frequently asked questions that is sufficient to provide intended users with an appropriate understanding of information specific to each pharmacogenetic association that is claimed.

(5) The genetic test must use a sample collection device that is FDA-cleared or -approved, or classified as 510(k) exempt, with an indication for in vitro diagnostic use in DNA testing.

(6) The intended use of the device must not include an indication for use in supporting or sustaining human life, being of substantial importance in preventing impairment of human health, or presenting a potential, unreasonable risk of illness or injury.

Grace R. Graham,

Deputy Commissioner for Policy, Legislation, and International Affairs.

[FR Doc. 2025–16037 Filed 8–20–25; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 862

[Docket No. FDA–2025–N–2107]

Medical Devices; Clinical Chemistry and Clinical Toxicology Devices; Classification of the Menopause Test System

AGENCY: Food and Drug Administration, HHS.

ACTION: Final amendment; final order.

SUMMARY: The Food and Drug Administration (FDA, Agency, or we) is classifying the menopause test system into class II (special controls). The special controls that apply to the device type are identified in this order and will be part of the codified language for classification of the menopause test system. We are taking this action because we have determined that classifying the device into class II will provide a reasonable assurance of safety and effectiveness of the device. We believe this action will also enhance patients' access to beneficial innovative devices, in part by reducing regulatory burdens.

DATES: This order is effective August 21, 2025. The classification was applicable on October 24, 2018.

FOR FURTHER INFORMATION CONTACT: Dina Jerebitski, Center for Devices and Radiological Health, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 66, Rm. 3574, Silver Spring, MD 20993–0002, 301–796–2411, *Dina.Jerebitski@fda.hhs.gov.*

SUPPLEMENTARY INFORMATION:

I. Background

Upon request, FDA has classified the menopause test system as class II (special controls), which we have determined will provide a reasonable assurance of safety and effectiveness. In addition, we believe this action will enhance patients' access to beneficial innovation, in part by reducing regulatory burdens by placing the device into a lower device class than the automatic class III assignment.

The automatic assignment of class III occurs by operation of law and without any action by FDA, regardless of the level of risk posed by the new device. Any device that was not in commercial distribution before May 28, 1976, is automatically classified as, and remains within, class III and requires premarket approval unless and until FDA takes an action to classify or reclassify the device (see 21 U.S.C. 360c(f)(1)). We refer to these devices as ''postamendments devices'' because they were not in commercial distribution prior to the date of enactment of the Medical Device Amendments of 1976, which amended the Federal Food, Drug, and Cosmetic Act (FD&C Act).

FDA may take a variety of actions in appropriate circumstances to classify or reclassify a device into class I or II. We may issue an order finding a new device to be substantially equivalent under section 513(i) of the FD&C Act (21 U.S.C. 360c(i)) to a predicate device that does not require premarket approval. We determine whether a new device is substantially equivalent to a predicate device by means of the procedures for premarket notification under section 510(k) of the FD&C Act (21 U.S.C. 360(k)) and part 807 (21 CFR part 807).

FDA may also classify a device through ''De Novo'' classification, a common name for the process authorized under section 513(f)(2) of the FD&C Act (see also part 860, subpart D (21 CFR part 860, subpart D)). Section 207 of the Food and Drug Administration Modernization Act of 1997 (Pub. L. 105–115) established the first procedure for De Novo classification. Section 607 of the Food and Drug Administration Safety and Innovation Act (Pub. L. 112–144) modified the De Novo application process by adding a second procedure. A device sponsor may utilize either procedure for De Novo classification.

Under the first procedure, the person submits a 510(k) for a device that has not previously been classified. After receiving an order from FDA classifying the device into class III under section 513(f)(1) of the FD&C Act, the person then requests a classification under section 513(f)(2).

Under the second procedure, rather than first submitting a 510(k) and then a request for classification, if the person

determines that there is no legally marketed device upon which to base a determination of substantial equivalence, that person requests a classification under section 513(f)(2) of the FD&C Act.

Under either procedure for De Novo classification, FDA is required to classify the device by written order within 120 days. The classification will be according to the criteria under section 513(a)(1) of the FD&C Act. Although the device was automatically placed within class III, the De Novo classification is considered to be the initial classification of the device.

We believe this De Novo classification will enhance patients' access to beneficial innovation, in part by reducing regulatory burdens. When FDA classifies a device into class I or II via the De Novo process, the device can serve as a predicate for future devices of that type, including for 510(k)s (see section 513(f)(2)(B)(i) of the FD&C Act). As a result, other device sponsors do not have to submit a De Novo request or premarket approval application to market a substantially equivalent device (see 513(i) of the FD&C Act, defining ''substantial equivalence''). Instead, sponsors can use the less burdensome 510(k) process, when necessary, to market their device.

II. De Novo Classification

On January 22, 2018, FDA received Ansh Labs LLC's request for De Novo classification of the picoAMH ELISA test. FDA reviewed the request in order to classify the device under the criteria for classification set forth in section 513(a)(1) of the FD&C Act.

We classify devices into class II if general controls by themselves are insufficient to provide reasonable assurance of safety and effectiveness, but there is sufficient information to establish special controls that, in combination with the general controls, provide reasonable assurance of the safety and effectiveness of the device for its intended use (see section 513(a)(1)(B) of the FD&C Act). After review of the information submitted in the request, we determined that the device can be classified into class II with the establishment of special controls. FDA has determined that these special controls, in addition to the general controls, will provide reasonable assurance of the safety and effectiveness of the device.

Therefore, on October 24, 2018, FDA issued an order to the requester classifying the device into class II. FDA is codifying the classification of the device by adding 21 CFR 862.1093.[1] We have named the generic type of device ''menopause test system,'' and it is identified as in vitro diagnostic device intended to measure hormones or other analytes in human clinical specimens as an aid in the determination of menopausal status in women.

FDA has identified the following risks to health associated specifically with this type of device and the measures required to mitigate these risks in table 1.

TABLE 1—MENOPAUSE TEST SYSTEM RISKS AND MITIGATION MEASURES

Identified risks to health	Mitigation measures
Incorrect test results	Special controls (1) and (2).
Incorrect interpretation of test results	Special controls (1) and (2).

FDA has determined that special controls, in combination with the general controls, address these risks to health and provide reasonable assurance of safety and effectiveness. For a device to fall within this classification, and thus avoid automatic classification in class III, it would have to comply with the special controls named in this final order. The necessary special controls appear in the regulation codified by this final order. This device is subject to premarket notification requirements under section 510(k) of the FD&C Act.

III. Analysis of Environmental Impact

The Agency has determined under 21 CFR 25.34(b) that this action is of a type that does not individually or cumulatively have a significant effect on the human environment. Therefore, neither an environmental assessment nor an environmental impact statement is required.

IV. Paperwork Reduction Act of 1995

This final order establishes special controls that refer to previously approved collections of information found in other FDA regulations and guidance. These collections of information are subject to review by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3521). The collections of information in part 860, subpart D, regarding De Novo classification have been approved under OMB control number 0910–0844; the collections of information in 21 CFR part 814, subparts A through E, regarding premarket approval have been approved under OMB control number 0910–0231; the collections of information in part 807, subpart E, regarding premarket notification submissions have been approved under OMB control number 0910–0120; the collections of information in 21 CFR part 820 regarding quality system regulation have been approved under OMB control number 0910–0073; and the collections of information in 21 CFR parts 801 and 809 regarding labeling have been approved under OMB control number 0910–0485.

List of Subjects in 21 CFR Part 862

Medical devices.

Therefore, under the Federal Food, Drug, and Cosmetic Act and under authority delegated to the Commissioner of Food and Drugs, 21 CFR part 862 is amended as follows:

PART 862—CLINICAL CHEMISTRY AND CLINICAL TOXICOLOGY DEVICES

■ 1. The authority citation for part 862 continues to read as follows:

Authority: 21 U.S.C. 351, 360, 360c, 360e, 360j, 360l, 371.

■ 2. Add § 862.1093 to subpart B to read as follows:

[1] FDA notes that the ''ACTION'' caption for this final order is styled as ''Final amendment; final order,'' rather than ''Final order.'' Beginning in December 2019, this editorial change was made to indicate that the document ''amends'' the Code of Federal Regulations. The change was made in accordance with the Office of Federal Register's (OFR) interpretations of the Federal Register Act (44 U.S.C. chapter 15), its implementing regulations (1 CFR 5.9 and parts 21 and 22), and the Document Drafting Handbook.

§ 862.1093 Menopause test system.

(a) *Identification.* A menopause test system is an in vitro diagnostic device intended to measure hormones or other analytes in human clinical specimens as an aid in the determination of menopausal status in women.

(b) *Classification.* Class II (special controls). A menopause test system must comply with the following special controls:

(1) Design verification and validation must include the following:

(i) An appropriate traceability plan to minimize the risk of drift in the menopause test system results over time.

(ii) Detailed documentation of a clinical study to demonstrate clinical performance or, if appropriate, results from an equivalent sample set. This detailed documentation must include the following information:

(A) Results must demonstrate appropriate clinical performance relative to a well-accepted and appropriate comparator.

(B) Data must demonstrate accuracy of device output for each indicated specimen type throughout the device measuring range as appropriate for the intended use population.

(2) The labeling required under § 809.10 of this chapter must include the following:

(i) A statement in the indications for use that the device is intended to be used for the determination of menopausal status only in conjunction with other clinical and laboratory findings prior to any diagnostic or treatment decisions.

(ii) A limiting statement that the device is intended to be used for the determination of menopausal status only in conjunction with other clinical and laboratory findings prior to any diagnostic or treatment decisions.

(iii) A limiting statement appropriately describing the risks of false test results and that test results should not be relied upon in clinical decision making (*e.g.,* to discontinue contraceptive use and/or to evaluate patients for the presence of endometrial cancer) without other clinical and laboratory findings.

Grace R. Graham,

Deputy Commissioner for Policy, Legislation, and International Affairs.

[FR Doc. 2025–16036 Filed 8–20–25; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 866

[Docket No. FDA–2025–N–2788]

Medical Devices; Immunology and Microbiology Devices; Classification of A Multiplex Respiratory Panel To Detect and Identify Emerging Respiratory Pathogen(s) and Common Respiratory Pathogens in Human Clinical Specimens

AGENCY: Food and Drug Administration, HHS.

ACTION: Final amendment; final order.

SUMMARY: The Food and Drug Administration (FDA, the Agency, or we) is classifying the multiplex respiratory panel to detect and identify emerging respiratory pathogen(s) and common respiratory pathogens in human clinical specimens into class II (special controls). The special controls that apply to the device type are identified in this order and will be part of the codified language for classification of the multiplex respiratory panel to detect and identify emerging respiratory pathogen(s) and common respiratory pathogens in human clinical specimens. We are taking this action because we have determined that classifying the device into class II will provide a reasonable assurance of safety and effectiveness of the device. We believe this action will also enhance patients' access to beneficial innovative devices, in part by reducing regulatory burdens.

DATES: This order is effective August 21, 2025. The classification was applicable on November 24, 2017.

FOR FURTHER INFORMATION CONTACT: Ryan Lubert, Center for Devices and Radiological Health, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 66, Rm. 3574, Silver Spring, MD 20993–0002, 240–402–6357, *Ryan.Lubert@fda.hhs.gov.*

SUPPLEMENTARY INFORMATION:

I. Background

Upon request, FDA has classified the multiplex respiratory panel to detect and identify emerging respiratory pathogen(s) and common respiratory pathogens in human clinical specimens as class II (special controls), which we have determined will provide a reasonable assurance of safety and effectiveness. In addition, we believe this action will enhance patients' access to beneficial innovation, in part by reducing regulatory burdens by placing the device into a lower device class than the automatic class III assignment.

The automatic assignment of class III occurs by operation of law and without any action by FDA, regardless of the level of risk posed by the new device. Any device that was not in commercial distribution before May 28, 1976, is automatically classified as, and remains within, class III and requires premarket approval unless and until FDA takes an action to classify or reclassify the device (see 21 U.S.C. 360c(f)(1)). We refer to these devices as ''postamendments devices'' because they were not in commercial distribution prior to the date of enactment of the Medical Device Amendments of 1976, which amended the Federal Food, Drug, and Cosmetic Act (FD&C Act).

FDA may take a variety of actions in appropriate circumstances to classify or reclassify a device into class I or II. We may issue an order finding a new device to be substantially equivalent under section 513(i) of the FD&C Act (21 U.S.C. 360c(i)) to a predicate device that does not require premarket approval. We determine whether a new device is substantially equivalent to a predicate device by means of the procedures for premarket notification under section 510(k) of the FD&C Act (21 U.S.C. 360(k)) and part 807 (21 CFR part 807).

FDA may also classify a device through ''De Novo'' classification, a common name for the process authorized under section 513(f)(2) of the FD&C Act (see also part 860, subpart D (21 CFR part 860, subpart D)). Section 207 of the Food and Drug Administration Modernization Act of 1997 (Pub. L. 105–115) established the first procedure for De Novo classification. Section 607 of the Food and Drug Administration Safety and Innovation Act (Pub. L. 112–144) modified the De Novo application process by adding a second procedure. A device sponsor may utilize either procedure for De Novo classification.

Under the first procedure, the person submits a 510(k) for a device that has not previously been classified. After receiving an order from FDA classifying the device into class III under section 513(f)(1) of the FD&C Act, the person then requests a classification under section 513(f)(2).

Under the second procedure, rather than first submitting a 510(k) and then a request for classification, if the person determines that there is no legally marketed device upon which to base a determination of substantial equivalence, that person requests a classification under section 513(f)(2) of the FD&C Act.

Under either procedure for De Novo classification, FDA shall classify the device by written order within 120 days. The classification will be according to the criteria under section 513(a)(1) of the FD&C Act. Although the device was automatically placed within class III, the De Novo classification is considered to be the initial classification of the device.

We believe this De Novo classification will enhance patients' access to beneficial innovation, in part by reducing regulatory burdens. When FDA classifies a device into class I or II via the De Novo process, the device can serve as a predicate for future devices of that type, including for 510(k)s (see 513(f)(2)(B)(i) of the FD&C Act). As a result, other device sponsors do not have to submit a De Novo request or premarket approval application to market a substantially equivalent device (see section 513(i) of the FD&C Act, defining ''substantial equivalence''). Instead, sponsors can use the less burdensome 510(k) process, when necessary, to market their device.

II. De Novo Classification

On October 4, 2017, FDA received BioFire Diagnostics, LLC's request for De Novo classification of the FilmArray Respiratory Panel 2 *plus* (RP2*plus*). FDA reviewed the request in order to classify the device under the criteria for classification set forth in section 513(a)(1) of the FD&C Act.

We classify devices into class II if general controls by themselves are insufficient to provide reasonable assurance of safety and effectiveness, but there is sufficient information to establish special controls that, in combination with the general controls, provide reasonable assurance of the safety and effectiveness of the device for its intended use (see section 513(a)(1)(B) of the FD&C Act). After review of the information submitted in the request, we determined that the device can be classified into class II with the establishment of special controls. FDA has determined that these special controls, in addition to the general controls, will provide reasonable assurance of the safety and effectiveness of the device.

Therefore, on November 24, 2017, FDA issued an order to the requester classifying the device into class II. In this final order, FDA is codifying the classification of the device by adding 21 CFR 866.4001.[1] We have named the generic type of device ''a multiplex respiratory panel to detect and identify emerging respiratory pathogen(s) and common respiratory pathogens in human clinical specimens,'' and it is identified as an in vitro diagnostic device intended for the qualitative detection and identification of both emerging and common respiratory pathogens from individuals meeting specific emerging respiratory pathogen clinical and/or epidemiological criteria. For example, clinical signs and symptoms associated with infection of the emerging respiratory pathogen, contact with a probable or confirmed emerging respiratory pathogen case, history of travel to geographic locations where cases of the emerging respiratory pathogen were detected, or other epidemiological links for which testing of the emerging respiratory pathogen may be indicated. A device to detect and identify emerging respiratory pathogen(s) and common respiratory pathogens in human clinical specimens, and in turn to distinguish emerging respiratory pathogen(s) from common respiratory pathogens, is intended to aid in the differential diagnosis of the emerging respiratory pathogen infection, in conjunction with other clinical, epidemiologic, and laboratory data, in accordance with the guidelines provided by the appropriate public health authorities.

FDA has identified the following risks to health associated specifically with this type of device and the measures required to mitigate these risks in table 1.

TABLE 1—A MULTIPLEX RESPIRATORY PANEL TO DETECT AND IDENTIFY EMERGING RESPIRATORY PATHOGEN(S) AND COMMON RESPIRATORY PATHOGENS IN HUMAN CLINICAL SPECIMENS RISKS AND MITIGATION MEASURES

Identified risks to health	Mitigation measures
Incorrect identification or lack of identification of the emerging respiratory pathogen and other common respiratory pathogens by the device can lead to improper patient management and public health response.	General controls and special controls (1), (2), (3), (4), (5), (6).

FDA has determined that special controls, in combination with the general controls, address these risks to health and provide reasonable assurance of safety and effectiveness. For a device to fall within this classification, and thus avoid automatic classification in class III, it would have to comply with the special controls named in this final order. The necessary special controls appear in the regulation codified by this final order. This device is subject to premarket notification requirements under section 510(k).

III. Analysis of Environmental Impact

The Agency has determined under 21 CFR 25.34(b) that this action is of a type that does not individually or cumulatively have a significant effect on the human environment. Therefore, neither an environmental assessment nor an environmental impact statement is required.

IV. Paperwork Reduction Act of 1995

This final order establishes special controls that refer to previously approved collections of information found in other FDA regulations and guidance. These collections of information are subject to review by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3521). The collections of information in part 860, subpart D, regarding De Novo classification have been approved under OMB control number 0910–0844; the collections of information in 21 CFR part 814, subparts A through E, regarding premarket approval have been approved under OMB control number 0910–0231; the collections of information in part 807, subpart E, regarding premarket notification submissions have been approved under OMB control number 0910–0120; the collections of information in 21 CFR part 820 regarding quality system regulation have been approved under OMB control number 0910–0073; and the collections of information in 21 CFR parts 801 and 809 regarding labeling have been approved under OMB control number 0910–0485.

[1] FDA notes that the ''ACTION'' caption for this final order is styled as ''Final amendment; final order,'' rather than ''Final order.'' Beginning in December 2019, this editorial change was made to indicate that the document ''amends'' the Code of Federal Regulations. The change was made in accordance with the Office of Federal Register's (OFR) interpretations of the Federal Register Act (44 U.S.C. chapter 15), its implementing regulations (1 CFR 5.9 and parts 21 and 22), and the Document Drafting Handbook.

List of Subjects in 21 CFR Part 866

Biologics, Laboratories, Medical devices.

Therefore, under the Federal Food, Drug, and Cosmetic Act and under authority delegated to the Commissioner of Food and Drugs, 21 CFR part 866 is amended as follows:

PART 866—IMMUNOLOGY AND MICROBIOLOGY DEVICES

■ 1. The authority citation for part 866 continues to read as follows:

Authority: 21 U.S.C. 351, 360, 360c, 360e, 360j, 360l, 371.

■ 2. Add § 866.4001 to subpart D to read as follows:

§ 866.4001 A multiplex respiratory panel to detect and identify emerging respiratory pathogen(s) and common respiratory pathogens in human clinical specimens.

(a) *Identification.* A multiplex respiratory panel to detect and identify emerging respiratory pathogen(s) and common respiratory pathogens in human clinical specimens is identified as an in vitro diagnostic device intended for the qualitative detection and identification of both emerging and common respiratory pathogens from individuals meeting specific emerging respiratory pathogen clinical and/or epidemiological criteria. For example, clinical signs and symptoms associated with infection of the emerging respiratory pathogen, contact with a probable or confirmed emerging respiratory pathogen case, history of travel to geographic locations where cases of the emerging respiratory pathogen were detected, or other epidemiological links for which testing of the emerging respiratory pathogen may be indicated. A device to detect and identify emerging respiratory pathogen(s) and common respiratory pathogens in human clinical specimens, and in turn to distinguish emerging respiratory pathogen(s) from common respiratory pathogens, is intended to aid in the differential diagnosis of the emerging respiratory pathogen infection, in conjunction with other clinical, epidemiologic, and laboratory data, in accordance with the guidelines provided by the appropriate public health authorities.

(b) *Classification.* Class II (special controls). The special controls for this device are:

(1) The intended use for the labeling required under § 809.10 of this chapter must include a description of what the device detects and measures, the specimen types, the results provided to the user, the clinical indications for which the test is to be used, the specific intended population(s), the testing location(s) where the device is to be used (if applicable), and other conditions of use as appropriate.

(2) The labeling required under § 809.10 of this chapter must include:

(i) A device description, including the parts that make up the device, ancillary reagents required but not provided, and an explanation of the methodology.

(ii) Performance characteristics from analytical studies, including cut-off (if applicable), analytical sensitivity (*i.e.,* limit of detection), inclusivity, reproducibility, interference, cross-reactivity, instrument carryover/cross-contamination (if applicable), and specimen stability.

(iii) Detailed instructions for minimizing the risk of potential users' exposure to the emerging respiratory pathogen(s) that may be present in test specimens and those used as control materials.

(iv) Detailed instructions for minimizing the risk of generating false positive test results due to carry-over contamination from positive test specimens and/or positive control materials.

(v) A warning statement that the interpretation of test results requires experienced healthcare professionals who have training in principles and use of infectious disease diagnostics and reporting of results, in conjunction with the patient's medical history, clinical signs and symptoms, and the results of other diagnostic tests.

(vi) A warning statement that culture should not be attempted in cases of positive results for an emerging respiratory pathogen unless a facility with an appropriate level of laboratory biosafety (*e.g.,* BSL 3 and BSL 3+) is available to receive and culture specimens.

(vii) A warning statement that device positive results for one or more common respiratory pathogens do not rule out bacterial infection, or co-infection with other common respiratory pathogens.

(viii) A warning statement that respiratory pathogen(s) detected may not be the definite cause of disease.

(ix) A warning statement that the use of additional laboratory testing (*e.g.* bacterial culture, immunofluorescence, x-ray findings) and clinical presentation must be taken into consideration in order to obtain the final diagnosis of a respiratory infection.

(x) A limiting statement that device negative results for the common respiratory pathogens do not preclude infection of a respiratory pathogen and should not be used as the sole basis for diagnosis, treatment, or other patient management decisions.

(xi) A limiting statement that analyte targets (*e.g.,* pathogen nucleic acid sequences or other molecular signatures) may persist in vivo, independent of organism viability. Detection of analyte target(s) does not imply that the corresponding pathogen(s) is infectious, nor is the causative agent(s) for clinical symptoms.

(xii) A limiting statement that detection of pathogen nucleic acid sequences or other molecular signatures is dependent upon proper specimen collection, handling, transportation, storage and preparation. Failure to observe proper procedures in any one of these steps can lead to incorrect results. There is a risk of false negative values resulting from improperly collected, transported, or handled specimens.

(xiii) A limiting statement that there is a risk of false positive values resulting from cross-contamination by target organisms, their nucleic acids or amplified product, or from non-specific signals in the assay.

(xiv) A limiting statement that there is a risk of false negative results due to the presence of nucleic acid sequence variants in the pathogen targets of the device.

(xv) A limiting statement that device performance was not established in immunocompromised patients.

(xvi) A limiting statement that positive and negative predictive values are highly dependent on prevalence. The device performance was established during one or more specific respiratory seasons. The performance for some respiratory pathogens may vary depending on the prevalence and patient population tested. False positive test results are likely when prevalence of disease due to a particular respiratory pathogen is low or non-existent in a community.

(xvii) In situations where the performance of the device was estimated based largely on testing pre-selected banked retrospective clinical specimens and/or contrived clinical specimen, a limiting statement that the estimated device performance of that specific pathogen or pathogen subtype may not reflect the performance or prevalence in the intended use population.

(xviii) For devices with an intended use that includes detection of emerging respiratory pathogen(s), a limiting statement that testing with the device should not be performed unless the patient meets clinical and/or epidemiologic criteria for testing suspected specimens of the emerging respiratory pathogen.

(xix) For devices with an intended use that includes detection of emerging respiratory pathogen(s), a limiting statement that positive results obtained with the device for the emerging respiratory pathogen are for the presumptive identification of that pathogen and that the definitive identification of the emerging respiratory pathogen requires additional testing and confirmation procedures in consultation with the appropriate public health authorities (*e.g.,* local or state public health departments) for whom reporting is necessary.

(xx) For devices with an intended use that includes detection of emerging respiratory pathogen(s), a limiting statement that negative results for the emerging respiratory pathogen, even in the context of device positive results for one or more of the common respiratory pathogens, do not preclude infection with the emerging respiratory pathogen and should not be used as the sole basis for patient management decisions.

(xxi) For devices with an intended use that includes detection of emerging respiratory pathogen(s), a limiting statement that negative results for the emerging respiratory pathogen may be due to infection of the emerging respiratory pathogen at a specific respiratory tract location that may not be detected by a particular clinical specimen type. A negative result for the emerging respiratory pathogen in an asymptomatic individual does not rule out the possibility of future illness and does not demonstrate that the individual is not infectious.

(xxii) For devices with an intended use that includes detection of emerging respiratory pathogen(s), a limiting statement that a nationally notifiable Rare Disease of Public Health Significance caused by an emerging respiratory pathogen must be reported, as appropriate, to public health authorities in accordance with local, state, and federal law.

(3) Design verification and validation must include:

(i) Performance results of an appropriate clinical study (*e.g.,* a prospective clinical study) for each specimen type, and, if appropriate, results from additional characterized samples. The clinical study must be performed on a study population consistent with the intended use population and must compare the device performance to results obtained using FDA-accepted comparator methods or to expected negative results if the infection is not generally expected in the intended use population. Clinical specimens evaluated in the study must contain relevant organism concentrations applicable to the specimen type(s) and the targeted analyte(s). Detailed documentation must be kept of that study and its results, including the study protocol, study report for the proposed intended use, testing results, and results of all statistical analyses.

(ii) For devices with an intended use that includes detection of emerging respiratory pathogen(s) for which an FDA recommended panel is available, design verification and validation must include the performance results of an analytical study testing an FDA recommended reference panel of characterized samples that contain the emerging respiratory pathogen. Detailed documentation must be kept of that study and its results, including the study protocol, study report for the proposed intended use, testing results, and results of all statistical analyses.

(iii) An appropriate risk mitigation strategy, including a detailed description of all procedures and methods, for the post-market identification of genetic mutations and/or novel respiratory pathogen isolates or strains (*e.g.,* regular review of published literature and annual in silico analysis of target sequences to detect possible mismatches. The required documentation for this device must also include all of the results, including any findings, from the application of this post-market mitigation strategy.

(iv) For devices with an intended use that includes detection of multiple common respiratory pathogens, in addition to detecting emerging respiratory pathogen(s) in human clinical specimens, a detailed description of the identity, phylogenetic relationship, or other recognized characterization of the common respiratory pathogens that the device is designed to detect is addressed. Also, address in detail how the device results might be used in a diagnostic algorithm and other measures that might be needed for a laboratory diagnosis of respiratory tract infection. Perform an evaluation of the device compared to a currently appropriate and FDA accepted comparator method. Detailed documentation must be kept of that study and its results, including the study protocol, study report for the proposed intended use, testing results, and results of all statistical analyses.

(v) A detailed device description, including the parts that make up the device, ancillary reagents required but not provided, and a detailed explanation of the methodology, including molecular target(s) for each analyte, design of target detection reagents, rationale for target selection, limiting factors of the device (*e.g.,* saturation level of hybridization and maximum amplification and detection cycle number), internal and external controls, and computational path from collected raw data to reported result (*e.g.,* how collected raw signals are converted into a reported signal and result), as applicable and appropriate.

(vi) A detailed description of the device software, including software applications and hardware-based devices that incorporate software.

(vii) For devices with an intended use that includes detection of Influenza A and Influenza B viruses and/or detection and differentiate between the Influenza A virus subtypes in human clinical specimens, in addition to detecting emerging respiratory pathogen(s), a detailed description of the identity, phylogenetic relationship, or other recognized characterization of the Influenza A and B viruses that the device is designed to detect, a description of how the device results might be used in a diagnostic algorithm and other measures that might be needed for a laboratory identification of Influenza A or B virus and of specific Influenza A virus subtypes, and a description of the clinical and epidemiological parameters that are relevant to a patient case diagnosis of Influenza A or B and of specific Influenza A virus subtypes. Perform an evaluation of the device compared to a currently appropriate and FDA accepted comparator method. Detailed documentation must be kept of that study and its results, including the study protocol, study report for the proposed intended use, testing results, and results of all statistical analyses.

(4) For devices with an intended use that includes detection of Influenza A and Influenza B viruses and/or detection and differentiate between the Influenza A virus subtypes in human clinical specimens, in addition to detecting emerging respiratory pathogen(s), the labeling required under § 809.10 of this chapter must include the following:

(i) Where applicable, a limiting statement that performance characteristics for Influenza A were established when Influenza A/H3 and A/H1–2009 (or other pertinent Influenza A subtypes) were the predominant Influenza A viruses in circulation. When other Influenza A viruses are emerging, performance characteristics may vary.

(ii) Where applicable, a warning statement that reads if infection with a novel Influenza A virus is suspected based on current clinical and epidemiological screening criteria

recommended by public health authorities, specimens should be collected with appropriate infection control precautions for novel virulent influenza viruses and sent to state or local health departments for testing. Viral culture should not be attempted in these cases unless a BSL 3+ facility is available to receive and culture specimens.

(iii) Where the device results interpretation involves combining the outputs of several targets to get the final results, such as a device that both detects Influenza A and differentiates all known Influenza A subtypes that are currently circulating, the device's labeling required under § 809.10(b)(9) of this chapter must include a clear interpretation instruction for all valid and invalid output combinations, and recommendations for any required follow up actions or retesting in the case of an unusual or unexpected device result.

(iv) A limiting statement that if a specimen yields a positive result for Influenza A, but produces negative test results for all specific influenza A subtypes intended to be differentiated (*e.g.,* H1–2009 and H3), this result requires notification of appropriate local, state, or federal public health authorities to determine necessary measures for verification and to further determine whether the specimen represents a novel strain of Influenza A.

(5) The manufacturer must perform annual analytical reactivity testing of the device with contemporary influenza strains. This annual analytical reactivity testing must meet the following criteria:

(i) The appropriate strains to be tested will be identified by FDA in consultation with the Centers for Disease Control and Prevention (CDC) and sourced from CDC or an FDA designated source. If the annual strains are not available from CDC, FDA will identify an alternative source for obtaining the requisite strains.

(ii) The testing must be conducted according to a standardized protocol considered and determined by FDA to be acceptable and appropriate.

(iii) By July 31 of each calendar year, the results of the last 3 years of annual analytical reactivity testing must be included as part of the device's labeling. If a device has not been on the market long enough for 3 years of annual analytical reactivity testing to have been conducted since the device received marketing authorization from FDA, then the results of every annual analytical reactivity testing since the device received marketing authorization from FDA must be included. The results must be presented as part of the device's labeling in a tabular format, which includes the detailed information for each virus tested as described in the certificate of authentication, either by:

(A) Placing the results directly in the device's labeling required under § 809.10(b) of this chapter that physically accompanies the device in a separate section of the labeling where the analytical reactivity testing data can be found; or

(B) In the device's label or in other labeling that physically accompanies the device, prominently providing a hyperlink to the manufacturer's public website where the analytical reactivity testing data can be found. The manufacturer's home page, as well as the primary part of the manufacturer's website that discusses the device, must provide a prominently placed hyperlink to the web page containing this information and must allow unrestricted viewing access.

(6) If one of the actions listed at section 564(b)(1)(A)–(D) of the FD&C Act occurs with respect to an influenza viral strain, or if the Secretary of Health and Human Services (HHS) determines, under section 319(a) of the Public Health Service Act, that a disease or disorder presents a public health emergency, or that a public health emergency otherwise exists, with respect to an influenza viral strain:

(i) Within 30 days from the date that FDA notifies manufacturers that characterized viral samples are available for test evaluation, the manufacturer must have testing performed on the device with those viral samples in accordance with a standardized protocol considered and determined by FDA to be acceptable and appropriate. The procedure and location of testing may depend on the nature of the emerging virus.

(ii) Within 60 days from the date that FDA notifies manufacturers that characterized viral samples are available for test evaluation and continuing until 3 years from that date, the results of the influenza emergency analytical reactivity testing, including the detailed information for the virus tested as described in the certificate of authentication, must be included as part of the device's labeling in a tabular format, either by:

(A) Placing the results directly in the device's labeling required under § 809.10(b) of this chapter that physically accompanies the device in a separate section of the labeling where analytical reactivity testing data can be found, but separate from the annual analytical reactivity testing results; or

(B) In a section of the device's label or in other labeling that physically accompanies the device, prominently providing a hyperlink to the manufacturer's public website where the analytical reactivity testing data can be found. The manufacturer's home page, as well as the primary part of the manufacturer's website that discusses the device, must provide a prominently placed hyperlink to the web page containing this information and must allow unrestricted viewing access.

Grace R. Graham,

Deputy Commissioner for Policy, Legislation, and International Affairs.

[FR Doc. 2025–16034 Filed 8–20–25; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 866

[Docket No. FDA–2025–N–2110]

Medical Devices; Immunology and Microbiology Devices; Classification of the Postnatal Chromosomal Copy Number Variation Detection System

AGENCY: Food and Drug Administration, HHS.

ACTION: Final amendment; final order.

SUMMARY: The Food and Drug Administration (FDA, the Agency, or we) is classifying the postnatal chromosomal copy number variation detection system into class II (special controls). The special controls that apply to the device type are identified in this order and will be part of the codified language for the postnatal chromosomal copy number variation detection system's classification. We are taking this action because we have determined that classifying the device into class II will provide a reasonable assurance of safety and effectiveness of the device. We believe this action will also enhance patients' access to beneficial innovative devices, in part by reducing regulatory burdens.

DATES: This order is effective August 21, 2025. The classification was applicable on January 17, 2014.

FOR FURTHER INFORMATION CONTACT: Scott McFarland, Center for Devices and Radiological Health, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 66, Rm. 3572, Silver Spring, MD, 20993–0002, 301–796–6217, *Scott.McFarland@fda.hhs.gov.*

SUPPLEMENTARY INFORMATION:

I. Background

Upon request, FDA has classified the postnatal chromosomal copy number variation detection system as class II (special controls), which we have determined will provide a reasonable assurance of safety and effectiveness. In addition, we believe this action will enhance patients' access to beneficial innovation, in part by reducing regulatory burdens by placing the device into a lower device class than the automatic class III assignment.

The automatic assignment of class III occurs by operation of law and without any action by FDA, regardless of the level of risk posed by the new device. Any device that was not in commercial distribution before May 28, 1976, is automatically classified as, and remains within, class III and requires premarket approval unless and until FDA takes an action to classify or reclassify the device (see 21 U.S.C. 360c(f)(1)). We refer to these devices as ''postamendments devices'' because they were not in commercial distribution prior to the date of enactment of the Medical Device Amendments of 1976, which amended the Federal Food, Drug, and Cosmetic Act (FD&C Act).

FDA may take a variety of actions in appropriate circumstances to classify or reclassify a device into class I or II. We may issue an order finding a new device to be substantially equivalent under section 513(i) of the FD&C Act (21 U.S.C. 360c(i)) to a predicate device that does not require premarket approval. We determine whether a new device is substantially equivalent to a predicate device by means of the procedures for premarket notification under section 510(k) of the FD&C Act (21 U.S.C. 360(k)) and part 807 (21 CFR part 807).

FDA may also classify a device through ''De Novo'' classification, a common name for the process authorized under section 513(f)(2) of the FD&C Act (see also part 860, subpart D (21 CFR part 860, subpart D)). Section 207 of the Food and Drug Administration Modernization Act of 1997 (Pub. L. 105–115) established the first procedure for De Novo classification. Section 607 of the Food and Drug Administration Safety and Innovation Act (Pub. L. 112–144) modified the De Novo application process by adding a second procedure. A device sponsor may utilize either procedure for De Novo classification.

Under the first procedure, the person submits a 510(k) for a device that has not previously been classified. After receiving an order from FDA classifying the device into class III under section 513(f)(1) of the FD&C Act, the person then requests a classification under section 513(f)(2).

Under the second procedure, rather than first submitting a 510(k) and then a request for classification, if the person determines that there is no legally marketed device upon which to base a determination of substantial equivalence, that person requests a classification under section 513(f)(2) of the FD&C Act.

Under either procedure for De Novo classification, FDA is required to classify the device by written order within 120 days. The classification will be according to the criteria under section 513(a)(1) of the FD&C Act. Although the device was automatically placed within class III, the De Novo classification is considered to be the initial classification of the device.

We believe this De Novo classification will enhance patients' access to beneficial innovation, in part by reducing regulatory burdens. When FDA classifies a device into class I or II via the De Novo process, the device can serve as a predicate for future devices of that type, including for 510(k)s (see section 513(f)(2)(B)(i) of the FD&C Act). As a result, other device sponsors do not have to submit a De Novo request or premarket approval application (PMA) to market a substantially equivalent device (see section 513(i) of the FD&C Act, defining ''substantial equivalence''). Instead, sponsors can use the less burdensome 510(k) process, when necessary, to market their device.

II. De Novo Classification

For this device, FDA issued an order on December 13, 2013, finding the Affymetrix CytoScan Dx Assay not substantially equivalent to a predicate not subject to PMA. Thus, the device remained in class III in accordance with section 513(f)(1) of the FD&C Act when we issued the order.

On December 23, 2013, FDA received Affymetrix, Inc.'s request for De Novo classification of the Affymetrix CytoScan Dx Assay. FDA reviewed the request in order to classify the device under the criteria for classification set forth in section 513(a)(1) of the FD&C Act.

We classify devices into class II if general controls by themselves are insufficient to provide reasonable assurance of safety and effectiveness, but there is sufficient information to establish special controls that, in combination with the general controls, provide reasonable assurance of the safety and effectiveness of the device for its intended use (see section 513(a)(1)(B) of the FD&C Act). After review of the information submitted in the request, we determined that the device can be classified into class II with the establishment of special controls. FDA has determined that these special controls, in addition to general controls, will provide reasonable assurance of the safety and effectiveness of the device.

Therefore, on January 17, 2014, FDA issued an order to the requestor classifying the device into class II. In this final order, FDA is codifying the classification of the device by adding 21 CFR 866.5920.[1] We have named the generic type of device postnatal chromosomal copy number variation detection system, and it is identified as a qualitative assay intended for the detection of copy number variations (CNVs) in genomic DNA obtained from whole blood in patients referred for chromosomal testing based on clinical presentation. It is intended for the detection of CNVs associated with developmental delay, intellectual disability, congenital anomalies, or dysmorphic features. Assay results are intended to be used in conjunction with other clinical and diagnostic findings, consistent with professional standards of practice, including confirmation by alternative methods, parental evaluation, clinical genetic evaluation, and counseling, as appropriate. Interpretation of assay results is intended to be performed by qualified healthcare professionals such as clinical cytogeneticists or molecular geneticists. This device is not intended to be used for standalone diagnostic purposes, pre-implantation or prenatal testing or screening, population screening, or for the detection of, or screening for, acquired or somatic genetic aberrations.

FDA has identified the following risks to health associated specifically with this type of device and the measures required to mitigate these risks in table 1.

[1] FDA notes that the ''ACTION'' caption for this final order is styled as ''Final amendment; final order,'' rather than ''Final order.'' Beginning in December 2019, this editorial change was made to indicate that the document ''amends'' the Code of Federal Regulations. The change was made in accordance with the Office of Federal Register's (OFR) interpretations of the Federal Register Act (44 U.S.C. chapter 15), its implementing regulations (1 CFR 5.9 and parts 21 and 22), and the Document Drafting Handbook.

TABLE 1—POSTNATAL CHROMOSOMAL COPY NUMBER VARIATION DETECTION SYSTEM RISKS AND MITIGATION MEASURES

Identified risks to health	Mitigation measures
Inaccurate test results that provide false positive and false negative results can lead to improper patient management.	Special controls (1) and (2).
Failure to correctly interpret test results can lead to false positive and false negative results and accordingly improper patient management.	Special controls (1)(iii) and (2).

FDA has determined that special controls, in combination with the general controls, address these risks to health and provide reasonable assurance of the safety and effectiveness. For a device to fall within this classification, and thus avoid automatic classification in class III, it would have to comply with the special controls named in this final order. The necessary special controls appear in the regulation codified by this final order. This device is subject to premarket notification requirements under section 510(k) of the FD&C Act.

III. Analysis of Environmental Impact

The Agency has determined under 21 CFR 25.34(b) that this action is of a type that does not individually or cumulatively have a significant effect on the human environment. Therefore, neither an environmental assessment nor an environmental impact statement is required.

IV. Paperwork Reduction Act of 1995

This final order establishes special controls that refer to previously approved collections of information found in other FDA regulations and guidance. These collections of information are subject to review by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3521). The collections of information in part 860, subpart D, regarding De Novo classification have been approved under OMB control number 0910–0844; the collections of information 21 CFR part 814, subparts A through E, regarding premarket approval have been approved under OMB control number 0910–0231; the collections of information in part 807, subpart E, regarding premarket notification submissions have been approved under OMB control number 0910–0120; the collections of information in 21 CFR part 820 regarding quality system regulation have been approved under OMB control number 0910–0073; and the collections of information in 21 CFR parts 801 and 809 regarding labeling have been approved under OMB control number 0910–0485.

List of Subjects in 21 CFR Part 866

Biologics, Laboratories, Medical devices.

Therefore, under the Federal Food, Drug, and Cosmetic Act and under authority delegated to the Commissioner of Food and Drugs, 21 CFR part 866 is amended as follows:

PART 866—IMMUNOLOGY AND MICROBIOLOGY DEVICES

■ 1. The authority citation for 21 CFR part 866 continues to read as follows:

Authority: 21 U.S.C. 351, 360, 360c, 360e, 360j, 360l, 371.

■ 2. Add § 866.5920 to subpart F to read as follows:

§ 866.5920 Postnatal chromosomal copy number variation detection system.

(a) *Identification.* A postnatal chromosomal copy number variation detection system is a qualitative assay intended for the detection of copy number variations (CNVs) in genomic DNA obtained from whole blood in patients referred for chromosomal testing based on clinical presentation. It is intended for the detection of CNVs associated with developmental delay, intellectual disability, congenital anomalies, or dysmorphic features. Assay results are intended to be used in conjunction with other clinical and diagnostic findings, consistent with professional standards of practice, including confirmation by alternative methods, parental evaluation, clinical genetic evaluation, and counseling, as appropriate. Interpretation of assay results is intended to be performed by qualified healthcare professionals such as clinical cytogeneticists or molecular geneticists. This device is not intended to be used for standalone diagnostic purposes, pre-implantation or prenatal testing or screening, population screening, or for the detection of, or screening for, acquired or somatic genetic aberrations.

(b) *Classification.* Class II (special controls). The special controls for this device are:

(1) Design verification and validation must include the following information:

(i) A detailed description of all components in the test system that includes:

(A) A description of the assay components, array composition and layout, all required reagents, instrumentation, and equipment, including illustrations or photographs of non-standard equipment or methods;

(B) A description of the design of the array in terms of chromosomal coverage and probe density for different regions;

(C) An identification of the number of probes and size of the CNVs reported at the lower range of the assay;

(D) Detailed documentation of the device software, including standalone software applications and hardware-based devices that incorporate software;

(E) Methodology and protocols for detecting copy number and visualizing results;

(F) A description of the result outputs along with sample reports, and a description of any links to external databases provided by the device to the user or accessed by the device;

(G) Specifications for the methods to be used in specimen collection, extraction (including DNA criteria for DNA quality and quantity to perform the assay), and storage; and

(H) A description of appropriate internal and external controls that are recommended or provided. The description must identify those control elements that are incorporated into the testing procedure.

(ii) Information that demonstrates the performance characteristics of the system, including:

(A) Device reproducibility data generated, at a minimum, using three sites, with two operators at each site, for three non-consecutive days using at least three instruments. A well-characterized panel of samples that provide a wide range of CNVs (*i.e.,* gains, losses, adequate size coverage across the range of sizes claimed by the device, adequate chromosomal coverage, challenging regions in the genome, CNVs reported at the lower range of the assay, interstitial, subtelomeric, and pericentromeric rearrangements, aneuploidy, unbalanced translocations, mosaicism, and known syndromic regions) must be used. The results must be itemized for all CNVs detected in each sample across all replicates and summarized in a tabular format stratified by size range

and range of probe numbers for gains and losses separately and calculated for overall. The results must be analyzed using pairwise replicate agreement, and summarized as overall pairwise replicate agreement as well as pairwise replicate agreement conditional on replicates having a positive copy number state call (gains or losses), call rate, CNV size variation, and endpoint agreement;

(B) Device accuracy data using cell lines and clinical samples representing a variety of CNVs and syndromes. In this analytical study, accuracy must be determined for every CNV detected in a particular sample. The accuracy data provided must include the copy number state determination and endpoint accuracy. The accuracy samples must cover different genomic variations across the genome (*i.e.,* gains, losses, adequate CNV size coverage across the range of sizes claimed by the device, adequate chromosomal coverage, challenging regions in the genome, CNVs reported at the lower range of the assay, interstitial, subtelomeric, and pericentromeric rearrangements, aneuploidy, unbalanced translocations, mosaicism, and known syndromic regions). CNVs identified by the device must be compared to comparator method(s). Agreement between the CNVs detected by the array and the comparator must be summarized in a tabular format that includes the positive percent agreement and false positive rate stratified by size range and range of probe numbers for gains and losses separately and calculated for overall;

(C) Assay performance data for CNVs reported at the lower range of the assay for both gains and losses;

(D) Device analytical sensitivity data, including DNA input and limit of detection for mosaicism, if applicable;

(E) Device analytical specificity data, including interference, carryover, and cross-contamination data;

(F) Device stability data, including real-time stability under various storage times, temperatures, and freeze-thaw conditions;

(G) Specimen matrix comparison data if more than one specimen type or anticoagulant can be tested with the device;

(H) Data that demonstrates the clinical validity, including diagnostic yield, of the device using a minimum of 800 retrospective clinical samples that were collected prospectively and obtained from three or more clinical laboratories, with results interpretation equally divided between two or more qualified healthcare professionals (*e.g.,* cytogeneticists). Patients must be representative of the intended use population and not limited to common syndromes. Diagnostic yield data must be summarized in tabular format and stratified by the comparison methodologies. Data must also be summarized comparing interpretation of results, with description of reasons for variability in calls between the device and the standard of care methods. Data to support the accuracy of calls for known syndromes must be included; and

(I) Data that demonstrates device results when a minimum of 100 apparently healthy, phenotypically normal individuals are tested and interpreted by one or more cytogeneticists blinded to the patient status.

(iii) Identification of risk mitigation elements used by the device, including a description of all additional procedures, methods, and practices incorporated into the directions for use that mitigate risks associated with testing.

(2) The labeling required under § 809.10 of this chapter must include:

(i) A warning statement that the device is not intended to be used for standalone diagnostic purposes, pre-implantation or prenatal testing or screening, population screening, or for the detection of, or screening for, acquired or somatic genetic aberrations;

(ii) Limitations regarding the assay's performance with respect to validated CNVs reported at the lower range of the assay, stratified by size range and range of probe numbers for gains and losses separately; and limitations regarding problematic (hypervariable) regions, loss of heterozygosity, mosaicism, and inability to detect balanced translocations, as appropriate;

(iii) A warning statement that interpretation of assay results is intended to be performed by qualified healthcare professionals such as clinical cytogeneticists or molecular geneticists; and,

(iv) A description of the performance studies performed in accordance with paragraph (b)(1)(ii) of this section and a summary of the results.

Grace R. Graham,

Deputy Commissioner for Policy, Legislation, and International Affairs.

[FR Doc. 2025–16032 Filed 8–20–25; 8:45 am]

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DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 866

[Docket No. FDA–2025–N–2425]

Medical Devices; Immunology and Microbiology Devices; Classification of the Cancer Predisposition Risk Assessment System

AGENCY: Food and Drug Administration, HHS.

ACTION: Final amendment; final order.

SUMMARY: The Food and Drug Administration (FDA, the Agency, or we) is classifying the cancer predisposition risk assessment system into class II (special controls). The special controls that apply to the device type are identified in this order and will be part of the codified language for classification of the cancer predisposition risk assessment system. We are taking this action because we have determined that classifying the device into class II will provide a reasonable assurance of safety and effectiveness of the device. We believe this action will also enhance patients' access to beneficial innovative devices, in part by reducing regulatory burdens.

DATES: This order is effective August 21, 2025. The classification was applicable on March 6, 2018.

FOR FURTHER INFORMATION CONTACT: Dina Jerebitski, Center for Devices and Radiological Health, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 66, Rm. 3574, Silver Spring, MD 20993–0002, 301–796–2411, *Dina.Jerebitski@fda.hhs.gov.*

SUPPLEMENTARY INFORMATION:

I. Background

Upon request, FDA has classified the cancer predisposition risk assessment system as class II (special controls), which we have determined will provide a reasonable assurance of safety and effectiveness. In addition, we believe this action will enhance patients' access to beneficial innovation, in part by reducing regulatory burdens by placing the device into a lower device class than the automatic class III assignment.

The automatic assignment of class III occurs by operation of law and without any action by FDA, regardless of the level of risk posed by the new device. Any device that was not in commercial distribution before May 28, 1976, is automatically classified as, and remains within, class III and requires premarket approval unless and until FDA takes an

action to classify or reclassify the device (see 21 U.S.C. 360c(f)(1)). We refer to these devices as ''postamendments devices'' because they were not in commercial distribution prior to the date of enactment of the Medical Device Amendments of 1976, which amended the Federal Food, Drug, and Cosmetic Act (FD&C Act).

FDA may take a variety of actions in appropriate circumstances to classify or reclassify a device into class I or II. We may issue an order finding a new device to be substantially equivalent under section 513(i) of the FD&C Act (21 U.S.C. 360c(i)) to a predicate device that does not require premarket approval. We determine whether a new device is substantially equivalent to a predicate device by means of the procedures for premarket notification under section 510(k) of the FD&C Act (21 U.S.C. 360(k)) and part 807 (21 CFR part 807).

FDA may also classify a device through ''De Novo'' classification, a common name for the process authorized under section 513(f)(2) of the FD&C Act (see also part 860, subpart D (21 CFR part 860, subpart D)). Section 207 of the Food and Drug Administration Modernization Act of 1997 (Pub. L. 105–115) established the first procedure for De Novo classification. Section 607 of the Food and Drug Administration Safety and Innovation Act (Pub. L. 112–144) modified the De Novo application process by adding a second procedure. A device sponsor may utilize either procedure for De Novo classification.

Under the first procedure, the person submits a 510(k) for a device that has not previously been classified. After receiving an order from FDA classifying the device into class III under section 513(f)(1) of the FD&C Act, the person then requests a classification under section 513(f)(2).

Under the second procedure, rather than first submitting a 510(k) and then a request for classification, if the person determines that there is no legally marketed device upon which to base a determination of substantial equivalence, that person requests a classification under section 513(f)(2) of the FD&C Act.

Under either procedure for De Novo classification, FDA is required to classify the device by written order within 120 days. The classification will be according to the criteria under section 513(a)(1) of the FD&C Act. Although the device was automatically placed within class III, the De Novo classification is considered to be the initial classification of the device.

We believe this De Novo classification will enhance patients' access to beneficial innovation, in part by reducing regulatory burdens. When FDA classifies a device into class I or II via the De Novo process, the device can serve as a predicate for future devices of that type, including for 510(k)s (see section 513(f)(2)(B)(i) of the FD&C Act). As a result, other device sponsors do not have to submit a De Novo request or premarket approval application to market a substantially equivalent device (see section 513(i) of the FD&C Act, defining ''substantial equivalence''). Instead, sponsors can use the less burdensome 510(k) process, when necessary, to market their device.

II. De Novo Classification

On September 5, 2017, FDA received 23andMe, Inc.'s request for De Novo classification of the 23andMe PGS Genetic Health Risk Report for BRCA1/BRCA2 (Selected Variants). FDA reviewed the request in order to classify the device under the criteria for classification set forth in section 513(a)(1) of the FD&C Act.

We classify devices into class II if general controls by themselves are insufficient to provide reasonable assurance of safety and effectiveness, but there is sufficient information to establish special controls that, in combination with the general controls, provide reasonable assurance of the safety and effectiveness of the device for its intended use (see section 513(a)(1)(B) of the FD&C Act). After review of the information submitted in the request, we determined that the device can be classified into class II with the establishment of special controls. FDA has determined that these special controls, in addition to the general controls, will provide reasonable assurance of the safety and effectiveness of the device.

Therefore, on March 6, 2018, FDA issued an order to the requester classifying the device into class II.[1] In this final order, FDA is codifying the classification of the device by adding 21 CFR 866.6090.[2] We have named the generic type of device ''cancer predisposition risk assessment system,'' and it is identified as a qualitative in vitro molecular diagnostic system used for determining predisposition for cancer where the result of the test may lead to prophylactic screening, confirmatory procedures, or treatments that may incur morbidity or mortality to the patient. The test could help to inform conversations with a healthcare professional. This assessment system is for over-the-counter use. This device does not determine the person's overall risk of developing any types of cancer. This test is not a substitute for visits to a healthcare provider for recommended screenings or appropriate follow-up and should not be used to determine any treatments.

FDA has identified the following risks to health associated specifically with this type of device and the measures required to mitigate these risks in table 1.

TABLE 1—CANCER PREDISPOSITION RISK ASSESSMENT SYSTEM RISKS AND MITIGATION MEASURES

Identified risks to health	Mitigation measures
Incorrect understanding of the device and test system	Special controls (1), (3), and (4).
Incorrect test results (false positives, false negatives)	Special controls (1), (2), (3), and (4).
Incorrect interpretation of test results	Special controls (1), (3), and (4).

FDA has determined that special controls, in combination with the general controls, address these risks to health and provide reasonable assurance of safety and effectiveness. For a device to fall within this classification, and thus avoid automatic classification in class III, it would have to comply with the special controls named in this final order. The necessary special controls appear in the regulation codified by this final order. This device is subject to

[1] FDA issued a correction of this order to the requestor in a letter dated January 17, 2019.

[2] FDA notes that the ''ACTION'' caption for this final order is styled as ''Final amendment; final order,'' rather than ''Final order.'' Beginning in December 2019, this editorial change was made to indicate that the document ''amends'' the Code of Federal Regulations. The change was made in accordance with the Office of Federal Register's (OFR) interpretations of the Federal Register Act (44 U.S.C. chapter 15), its implementing regulations (1 CFR 5.9 and parts 21 and 22), and the Document Drafting Handbook.

premarket notification requirements under section 510(k) of the FD&C Act.

III. Analysis of Environmental Impact

The Agency has determined under 21 CFR 25.34(b) that this action is of a type that does not individually or cumulatively have a significant effect on the human environment. Therefore, neither an environmental assessment nor an environmental impact statement is required.

IV. Paperwork Reduction Act of 1995

This final order establishes special controls that refer to previously approved collections of information found in other FDA regulations and guidance. These collections of information are subject to review by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3521). The collections of information in part 860, subpart D, regarding De Novo classification have been approved under OMB control number 0910–0844; the collections of information in 21 CFR part 814, subparts A through E, regarding premarket approval have been approved under OMB control number 0910–0231; the collections of information in part 807, subpart E, regarding premarket notification submissions have been approved under OMB control number 0910–0120; the collections of information in 21 CFR part 820 regarding quality system regulation have been approved under OMB control number 0910–0073; and the collections of information in 21 CFR parts 801 and 809 regarding labeling have been approved under OMB control number 0910–0485.

List of Subjects in 21 CFR Part 866

Biologics, Laboratories, Medical devices.

Therefore, under the Federal Food, Drug, and Cosmetic Act and under authority delegated to the Commissioner of Food and Drugs, 21 CFR part 866 is amended as follows:

PART 866—IMMUNOLOGY AND MICROBIOLOGY DEVICES

■ 1. The authority citation for part 866 continues to read as follows:

Authority: 21 U.S.C. 351, 360, 360c, 360e, 360j, 360l, 371.

■ 2. Add § 866.6090 to subpart G to read as follows:

§ 866.6090 Cancer predisposition risk assessment system.

(a) *Identification.* A cancer predisposition risk assessment system is a qualitative in vitro molecular diagnostic system used for determining predisposition for cancer where the result of the test may lead to prophylactic screening, confirmatory procedures, or treatments that may incur morbidity or mortality to the patient. The test could help to inform conversations with a healthcare professional. This assessment system is for over-the-counter use. This device does not determine the person's overall risk of developing any types of cancer. This test is not a substitute for visits to a healthcare provider for recommended screenings or appropriate follow-up and should not be used to determine any treatments.

(b) *Classification.* Class II (special controls). The special controls for this device are:

(1) The labeling required under § 809.10 of this chapter and any pre-purchase page and test report generated, unless otherwise specified, must include:

(i) An intended use that specifies in the indications for use the genetic variants detected by the test. The specific variants must be appropriately validated as described in paragraphs (b)(4)(xii) and (b)(4)(xiii) of this section.

(ii) A section addressed to users with the following information:

(A) A warning statement accurately disclosing the genetic coverage of the test in lay terms, including information on variants not queried by the test, and the proportion of pathogenic variants in the genes that the assay detects in a specific population as identified in paragraph (b)(1)(i) of this section. The warning statement must indicate that the test [does not/may not, as appropriate] detect all genetic variants related to the genetic disease, and that the absence of a variant tested does not rule out the presence of other genetic variants that may impact cancer risk. The warning statement must also include the relevant population for which the variants reported by the test are most relevant.

(B) A limiting statement explaining that some people may feel anxious about getting genetic test health results. This is normal. If the potential user feels very anxious, such user should speak to his or her doctor or other healthcare professional prior to collection of a sample for testing. This test is not a substitute for visits to a doctor or other healthcare professional. Users should consult with their doctor or other healthcare professional if they have any questions or concerns about the results of their test or their current state of health.

(C) A limiting statement that a user's ethnicity may affect whether the test is relevant for them and may also affect how their genetic health results are interpreted.

(D) A warning statement that the test is not a substitute for visits to a healthcare professional for recommended screenings, and should not be used to determine any treatments or medical interventions.

(E) A warning statement that the test does not diagnose cancer or any other health conditions and should not be used to make medical decisions. The warning statement must indicate that the results should be confirmed in a clinical setting before taking any medical action.

(F) A limiting statement explaining that other companies offering a genetic risk test may be detecting different genetic variants for the same disease, so the user may get different results using a test from a different company.

(G) If applicable, a limiting statement that states the test does not test for variants in other genes linked to hereditary cancer.

(H) A limiting statement explaining that this test does not account for non-genetic factors and that other factors such as environmental and lifestyle risk factors may affect the risk of developing a given disease.

(I) Information to a potential purchaser or actual test report recipient about how to obtain access to a board-certified clinical molecular geneticist or equivalent to assist in pre- and post-test counseling.

(J) A limiting statement explaining that this test is not intended to tell you anything about your current state of health, or be used to make medical decisions, including whether or not you should take a medication or how much of a medication you should take.

(K) A limiting statement explaining that the laboratory may not be able to process a sample, and a description of the next steps to be taken by the manufacturer and/or the customer, as applicable.

(iii) A section in the labeling required under § 809.10 of this chapter and any test report generated that is for healthcare professionals who may receive the test results from their patients with the following information:

(A) A limiting statement explaining that this test is not intended to diagnose a disease, determine medical treatment or other medical intervention, or tell the user anything about their current state of health.

(B) A limiting statement explaining that this test is intended to provide users with their genetic information to inform health-related lifestyle decisions

and conversations with their doctor or other healthcare professional.

(C) A limiting statement explaining that any diagnostic or treatment decisions should be based on confirmatory prescription testing and/or other information that is determined to be appropriate for the patient (*e.g.,* additional clinical testing and other risk factors that may affect individual risk and health care).

(2) The genetic test must use a sample collection device that is FDA-cleared, -approved, or -classified as 510(k) exempt, with an indication for in vitro diagnostic use in over-the-counter DNA testing.

(3) The device's labeling must include a hyperlink to the manufacturer's public website where the manufacturer must make the information identified in paragraph (b)(3) of this section publicly available. The manufacturer's home page, as well as the primary part of the manufacturer's website that discusses the device, must provide a hyperlink to the web page containing this information and must allow unrestricted viewing access. If the device can be purchased from the website or testing using the device can be ordered from the website, the same information must be found on the web page for ordering the device or provided in a publicly accessible hyperlink on the web page for ordering the device. Any changes to the device that could significantly affect safety or effectiveness would require new data or information in support of such changes, which must also be posted on the manufacturer's website. The information must include:

(i) An index of the material being provided to meet the requirements in paragraph (b)(3) of this section and its location.

(ii) Technical information about the device, as specified in paragraph (b)(4) of this section.

(iii) A section that highlights summary information that allows the user to understand how the test works and how to interpret the results of the test. This section must, at a minimum, be written in plain language understandable to a lay user and include:

(A) Consistent explanations of the risk of disease associated with all variants included in the test, variants not included in the test, and specific considerations by ethnicity. If there are different categories of risk, the manufacturer must provide literature references and/or data that support the different risk categories. If there will be multiple test reports and multiple variants, the risk categories must be defined similarly among them. For example, ''increased risk'' must be defined similarly between different test reports and different variant combinations.

(B) Clear context for the user to understand the context in which the cited clinical performance data support the risk reported. This includes any risks that are influenced by ethnicity, age, gender, environment, and lifestyle choices.

(C) Materials that explain the main concepts and terminology used in the test that include:

(1) Definitions: scientific terms that are used in the test reports.

(2) Pre-purchase page: this page must contain information that informs the user about what information the test will provide. This includes variant information, the condition(s) or disease(s) associated with the variant(s), professional guideline recommendations for general genetic risk testing, the limitations associated with the test (*e.g.,* test does not detect all variants related to the disease), relevance of race/ethnicity, and any precautionary information about the test the user should be aware of before purchase. When the test reports the risk of a life-threatening or irreversibly debilitating disease or condition for which there are few or no options to prevent, treat, or cure the disease, a user opt-in page must be provided. This opt-in page must be provided for each disease type that falls into this category and must provide specific information relevant to each test result. The opt-in page must include:

(i) An option to accept or decline to receive this specific test result;

(ii) Specification of the risk involved if the user is found to have the specific genetic test result;

(iii) Summary of professional guidelines that recommend when genetic testing for the associated target condition is or is not recommended;

(iv) A recommendation to speak with a healthcare professional, genetic counselor, or equivalent professional before getting the results of the test;

(v) The implications of receiving a no variants detected result; and

(vi) The statement that the test does not diagnose cancer or any other health conditions and should not be used to make medical decisions. Results should be confirmed in a clinical setting before taking any medical action. Users should consult with a healthcare professional before taking any medical action.

(3) Frequently asked questions (FAQ) page: This page must provide information that is specific for each variant/disease pair that is reported. Information provided in this section must be scientifically valid and supported by corresponding peer-reviewed publications. The FAQ page must explain the health condition/disease being tested, the purpose of the test, the information the test will and will not provide, the relevance of race and ethnicity to the test results, information about the population to which the variants in the test is most applicable, the meaning of the result(s), other risk factors that contribute to disease, appropriate follow-up procedures, how the results of the test may affect the user's family, including children, and links to resources that provide additional information.

(4) The device labeling must include a technical information section containing the following information:

(i) Gene(s) and variant(s) the test detects using standardized nomenclature, Human Genome Organization (HUGO) nomenclature and coordinates, as well as Single Nucleotide Polymorphism Database (dbSNP) reference SNP numbers (rs#).

(ii) A statement indicating that more than 1,000 variants in the BRCA1 and BRCA2 genes are known to increase cancer risk, as applicable.

(iii) Scientifically established disease-risk association of each variant detected and reported by the test. This risk association information must include:

(A) Genotype-phenotype information for the reported variants.

(B) When available, a table of expected frequency in the general population and different ethnicities, and risks of developing the disease in relevant ethnic populations and the general population.

(C) Information such as peer-reviewed published literature and/or professional guidelines used to determine what types and levels of evidence will distinguish whether the selected variants are reported as ''are associated with increased risk'' versus ''may be associated with increased risk'' of developing other cancers. All selected variants must be appropriately validated as required under paragraph (b)(1)(i) of this section. For selected variants reported as ''are associated with increased risk,'' the clinical evidence must be demonstrated with sufficient information (*e.g.,* professional guidelines and consistent associations in peer-reviewed published literature). For the selected variants reported as ''may be associated with increased risk,'' the clinical evidence must be reported in professional guidelines, but peer-reviewed published literature may not be consistent.

(D) A statement about the current professional guidelines for testing these

specific gene(s) and variant(s) for the specified disease(s).

(1) If professional guidelines are available, provide the recommendations in the professional guideline(s) for the gene, variant, and disease for when genetic testing should or should not be performed, and cautionary information that should be communicated when a particular gene and variant is detected.

(2) If professional guidelines are not available, provide a statement that the professional guidelines are not available for these specific gene(s) and variant(s).

(iv) The specimen type (*e.g.,* saliva, whole blood).

(v) Assay steps and technology used.

(vi) Specification of required ancillary reagents, instrumentation, and equipment.

(vii) Specification of the specimen collection, processing, storage, and preparation methods.

(viii) Specification of risk mitigation elements and description of all additional procedures, methods, and practices incorporated into the directions for use that mitigate risks associated with testing.

(ix) Information pertaining to the probability of test failure (*e.g.,* percentage of tests that failed quality control) based on data from clinical samples, a description of scenarios in which a test can fail (*e.g.,* low sample volume, low DNA concentration), how users will be notified of a test failure, and the nature of follow-up actions on a failed test to be taken by the user and the manufacturer.

(x) When available, information specifying the probability of a false negative and false positive analytical result and any additional considerations by ethnicity.

(xi) Specification of the criteria for test result interpretation and reporting, including any distinctions between risk categories (*i.e.,* increased risk and greatly increased risk; are associated and may be associated).

(xii) Information that demonstrates the performance characteristics of the test including:

(A) Accuracy of study results for each claimed specimen type.

(1) Accuracy of the test must be evaluated with fresh clinical specimens collected and processed in a manner consistent with the test's instructions for use. If this is impractical, fresh clinical samples may be substituted or supplemented with archived clinical samples. Archived samples must have been collected previously in accordance with the instructions for use, stored appropriately, and randomly selected. In some limited circumstances, use of contrived samples or human cell line samples may also be appropriate and used as an acceptable alternative. The contrived or human cell line samples must mimic clinical specimens as much as is feasible and provide an unbiased evaluation of the test's accuracy.

(2) Accuracy must be evaluated by comparison to bidirectional Sanger sequencing or other methods identified as appropriate by FDA. Performance criteria for both the comparator method and the test must be pre-defined and appropriate to the test's intended use. Detailed study protocols must be provided.

(3) Information provided must include the number and type of specimens, broken down by clinically relevant variants for each indicated report that were compared to bidirectional sequencing or other methods identified as appropriate by FDA. The accuracy as positive percent agreement (PPA) and negative percent agreement (NPA) must be measured, and accuracy point estimates must be >99 percent (both per reported variant and overall). Uncertainty of the point estimate must be within an acceptable range, as identified by FDA, and must be presented using the 95 percent confidence interval.

(4) Sufficient specimens must be tested per genotype and must include all genotypes that will be included in the tests and reports. The number of samples tested in the accuracy study for each variant reported must be based on the variant frequency.

(5) Any no calls (*i.e.,* absence of a result) or invalid calls (*e.g.,* failed quality control) in the study must be included in accuracy study results and reported separately. The percent of final 'no calls' or 'invalid calls' must be clinically acceptable. Variants that have a point estimate for PPA or NPA of <99 percent (incorrect test results compared to bidirectional sequencing or other methods identified as appropriate by FDA) must not be incorporated into test claims and reports. Accuracy measures generated from clinical specimens versus contrived samples or cell lines must be presented separately. Results must be summarized and presented in tabular format, by sample and by genotype.

(6) Point estimate of PPA for each genotype must be calculated as the number of correct calls for that genotype divided by the number of samples known to contain that genotype. The point estimate of NPA for each genotype must be calculated as the number of correct calls that do not contain that genotype divided by the number of samples known to not contain that genotype. 'No calls' must not be included in these calculations. Point estimates must be calculated along with 95 percent two-sided confidence intervals.

(B) Precision and reproducibility data must be provided using multiple instruments and multiple operators, on multiple non-consecutive days, and using multiple reagent lots. The sample panel must include specimens from the claimed sample type (*e.g.,* saliva) representing all genotypes for each variant (*e.g.,* wild type, heterozygous, and homozygous). Performance criteria must be predefined. A detailed study protocol must be created in advance of the study and then followed. The failed quality control rate must be indicated (*i.e.,* the total number of sample replicates for which a sequence variant cannot be called (no calls) or that fail sequencing quality control criteria divided by the total number of replicates tested). It must be clearly documented whether results were generated from clinical specimens, contrived samples, or cell lines. The study results must state, in a tabular format, the variants tested in the study and the number of replicates for each variant, and what conditions were tested (*e.g.,* number of runs, days, instruments, reagent lots, operators, specimens/type). The study must include all extraction steps from the claimed specimen type or matrix, unless a separate extraction study for the claimed sample type is performed. If the device is to be used at more than one laboratory, different laboratories must be included in the precision study (and reproducibility across sites must be evaluated). Any no calls or invalid calls in the study must be listed as a part of the precision and reproducibility study results.

(C) Analytical specificity data: data must be provided evaluating the test performance (*e.g.,* specimen extraction and variant detection) effect of potential endogenous and exogenous interferents relevant to the specimen type, and assessment of cross-contamination. Alternatively, for each suspected interfering mutation for which data is not provided demonstrating the effect of the interfering variant, the manufacturer must clearly identify the suspected interfering variants in the labeling to user test reports, and indicate that the impact the interfering variants may have on the test's performance has not been studied by providing a statement that reads, ''It is possible that the presence of [insert identifying information for the suspected interfering variant] in a sample may interfere with the performance of this test. However, its

effect on the performance of this test has not been studied.''

(D) Analytical sensitivity data: data must be provided demonstrating the minimum amount of DNA that will enable the test to perform correctly in 95 percent of runs.

(E) Device stability data: the manufacturer must establish upper and lower limits of input nucleic acid, sample, and reagent stability that will achieve the test's claimed accuracy and reproducibility. The manufacturer must evaluate stability using wild-type, heterozygous, and homozygous samples. Data supporting such claims must be provided.

(F) Specimen type and matrix comparison data: specimen type and matrix comparison data must be generated if more than one specimen type can be tested with this device, including failure rates for the different specimens.

(xiii) Clinical Performance Summary.

(A) Information to support the clinical performance of each variant in the specific condition which is labeled as ''are associated with increased risk'' and reported by the test must be provided, as identified in paragraph (b)(4)(iii)(C) of this section.

(B) Manufacturers must organize information by the specific variant combination as appropriate (*e.g.,* wild type, heterozygous, homozygous, compound heterozygous, hemizygous genotypes). For each variant combination, information must be provided in the clinical performance section to support clinical performance for the risk category (*e.g.,* not at risk, increased risk). For each variant combination, a summary of key results must be provided in tabular format or using another method identified as appropriate by FDA to include the appropriate information regarding variant type, data source, definition of the target condition (*e.g.,* disease), clinical criteria for determining whether the target disease is present or absent, description of subjects with the target disease present and target disease absent (exclusion or inclusion criteria), and technical method for genotyping. When available, information on the effect of the variant on risk must be provided as the risk of a disease (lifetime risk or lifetime incidences) for an individual compared with the general population risk.

(xiv) User comprehension study: information on a study that assesses comprehension of the test process and results by potential users of the test must be provided, including the following, as appropriate:

(A) The test manufacturer must provide a genetic health risk education module to naïve user comprehension study participants prior to their participation in the user comprehension study. The module must define terms that are used in the test reports and explain the significance of genetic risk reports.

(B) The test manufacturer must perform pre- and post-test user comprehension studies. The comprehension test questions must directly evaluate the material being presented to the user as described in paragraph (b)(3)(ii) of this section.

(C) The manufacturer must provide a justification from a physician and/or genetic counselor that identifies the appropriate general and variant-specific concepts contained within the material being tested in the user comprehension study to ensure that all relevant concepts are incorporated in the study.

(D) The user comprehension study must meet the following criteria:

(1) The study participants must comprise a statistically sufficient sample size and demographically diverse population (determined using methods such as quota-based sampling) that is representative of the intended user population. Furthermore, the study participants must comprise a diverse range of age and educational levels and have no prior experience with the test or its manufacturer. These factors must be well-defined in the inclusion and exclusion criteria.

(2) All sources of bias (*e.g.,* non-responders) must be predefined and accounted for in the study results with regard to both responders and non-responders.

(3) The testing must follow a format where users have limited time to complete the studies (such as an on-site survey format and a one-time visit with a cap on the maximum amount of time that a participant has to complete the tests).

(4) Users must be randomly assigned to study arms. Test reports in the user comprehension study given to users must define the target condition being tested and related symptoms, explain the intended use and limitations (including warnings) for the test, explain the relevant ethnicities in regard to the variant tested, explain genetic health risks and relevance to the user's ethnicity, and assess participants' ability to understand the following comprehension concepts: the test's limitations, purpose, appropriate action, test results, and other factors that may have an impact on the test results.

(5) Study participants must be untrained, be naïve to the test subject of the study, and be provided the labeling prior to the start of the user comprehension study.

(6) The user comprehension study must meet the predefined primary endpoint criteria, including a minimum of a 90 percent or greater overall comprehension rate (*i.e.,* selection of the correct answer) for each comprehension concept. Other acceptance criteria may be acceptable depending on the concept being tested. Meeting or exceeding this overall comprehension rate demonstrates that the materials presented to the user are adequate for over-the-counter use.

(7) The analysis of the user comprehension results must include:

(i) Results regarding reports that are provided for each gene/variant/ethnicity tested;

(ii) Statistical methods used to analyze all data sets; and

(iii) Completion rate, non-responder rate, and reasons for nonresponse/data exclusion. A summary table of comprehension rates regarding comprehension concepts (*e.g.,* purpose of test, test results, test limitations, ethnicity relevance for the test results, appropriate actions following receipt of results) for each study report must be included.

Grace R. Graham,

Deputy Commissioner for Policy, Legislation, and International Affairs.

[FR Doc. 2025–16035 Filed 8–20–25; 8:45 am]

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DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 866

[Docket No. FDA–2025–N–2424]

Medical Devices; Immunology and Microbiology Devices; Classification of the Mutation Detection Test for Myeloproliferative Neoplasms

AGENCY: Food and Drug Administration, HHS.

ACTION: Final amendment; final order.

SUMMARY: The Food and Drug Administration (FDA, the Agency, or we) is classifying the mutation detection test for myeloproliferative neoplasms into class II (special controls). The special controls that apply to the device type are identified in this order and will be part of the codified language for classification of the mutation detection test for myeloproliferative neoplasms. We are taking this action because we

have determined that classifying the device into class II will provide a reasonable assurance of safety and effectiveness of the device. We believe this action will also enhance patients' access to beneficial innovative devices, in part by reducing regulatory burdens.

DATES: This order is effective August 21, 2025. The classification was applicable on March 27, 2017.

FOR FURTHER INFORMATION CONTACT: Ryan Lubert, Center for Devices and Radiological Health, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 66, Rm. 3574, Silver Spring, MD 20993–0002, 240–402–6357, *Ryan.Lubert@fda.hhs.gov.*

SUPPLEMENTARY INFORMATION:

I. Background

Upon request, FDA has classified the mutation detection test for myeloproliferative neoplasms device as class II (special controls), which we have determined will provide a reasonable assurance of safety and effectiveness. In addition, we believe this action will enhance patients' access to beneficial innovation, in part by reducing regulatory burdens by placing the device into a lower device class than the automatic class III assignment.

The automatic assignment of class III occurs by operation of law and without any action by FDA, regardless of the level of risk posed by the new device. Any device that was not in commercial distribution before May 28, 1976, is automatically classified as, and remains within, class III and requires premarket approval unless and until FDA takes an action to classify or reclassify the device (see 21 U.S.C. 360c(f)(1)). We refer to these devices as ''postamendments devices'' because they were not in commercial distribution prior to the date of enactment of the Medical Device Amendments of 1976, which amended the Federal Food, Drug, and Cosmetic Act (FD&C Act).

FDA may take a variety of actions in appropriate circumstances to classify or reclassify a device into class I or II. We may issue an order finding a new device to be substantially equivalent under section 513(i) of the FD&C Act (21 U.S.C. 360c(i)) to a predicate device that does not require premarket approval. We determine whether a new device is substantially equivalent to a predicate device by means of the procedures for premarket notification under section 510(k) of the FD&C Act (21 U.S.C. 360(k)) and part 807 (21 CFR part 807).

FDA may also classify a device through ''De Novo'' classification, a common name for the process authorized under section 513(f)(2) of the FD&C Act (see also part 860, subpart D (21 CFR part 860, subpart D)). Section 207 of the Food and Drug Administration Modernization Act of 1997 (Pub. L. 105–115) established the first procedure for De Novo classification. Section 607 of the Food and Drug Administration Safety and Innovation Act (Pub. L. 112–144) modified the De Novo application process by adding a second procedure. A device sponsor may utilize either procedure for De Novo classification.

Under the first procedure, the person submits a 510(k) for a device that has not previously been classified. After receiving an order from FDA classifying the device into class III under section 513(f)(1) of the FD&C Act, the person then requests a classification under section 513(f)(2).

Under the second procedure, rather than first submitting a 510(k) and then a request for classification, if the person determines that there is no legally marketed device upon which to base a determination of substantial equivalence, that person requests a classification under section 513(f)(2) of the FD&C Act.

Under either procedure for De Novo classification, FDA is required to classify the device by written order within 120 days. The classification will be according to the criteria under section 513(a)(1) of the FD&C Act. Although the device was automatically placed within class III, the De Novo classification is considered to be the initial classification of the device.

We believe this De Novo classification will enhance patients' access to beneficial innovation, in part by reducing regulatory burdens. When FDA classifies a device into class I or II via the De Novo process, the device can serve as a predicate for future devices of that type, including for 510(k)s (see section 513(f)(2)(B)(i) of the FD&C Act). As a result, other device sponsors do not have to submit a De Novo request or premarket approval application to market a substantially equivalent device (see section 513(i) of the FD&C Act, defining ''substantial equivalence''). Instead, sponsors can use the less burdensome 510(k) process, when necessary, to market their device.

II. De Novo Classification

On July 1, 2016, FDA received QIAGEN Manchester Ltd.'s request for De Novo classification of the ipsogen JAK2 RGQ PCR Kit. FDA reviewed the request in order to classify the device under the criteria for classification set forth in section 513(a)(1) of the FD&C Act.

We classify devices into class II if general controls by themselves are insufficient to provide reasonable assurance of safety and effectiveness, but there is sufficient information to establish special controls that, in combination with the general controls, provide reasonable assurance of the safety and effectiveness of the device for its intended use (see section 513(a)(1)(B) of the FD&C Act). After review of the information submitted in the request, we determined that the device can be classified into class II with the establishment of special controls. FDA has determined that these special controls, in addition to the general controls, will provide reasonable assurance of the safety and effectiveness of the device.

Therefore, on March 28, 2017, FDA issued an order to the requester classifying the device into class II. In this final order, FDA is codifying the classification of the device by adding 21 CFR 866.6070.[1] We have named the generic type of device ''mutation detection test for myeloproliferative neoplasms,'' and it is identified as an in vitro diagnostic device intended for the detection of the JAK2 V617F/G1849T allele in genomic DNA extracted from whole blood. The test is intended for use as an adjunct to evaluation of suspected polycythemia vera, in conjunction with other clinicopathological factors.

FDA has identified the following risks to health associated specifically with this type of device and the measures required to mitigate these risks in table 1.

TABLE 1—MUTATION DETECTION TEST FOR MYELOPROLIFERATIVE NEOPLASMS RISKS AND MITIGATION MEASURES

Identified risks to health	Mitigation measures
False negative results	Special controls (1) and (2).
False positive results	Special controls (1) and (2).

FDA has determined that special controls, in combination with the general controls, address these risks to

[1] FDA notes that the ''ACTION'' caption for this final order is styled as ''Final amendment; final order,'' rather than ''Final order.'' Beginning in December 2019, this editorial change was made to indicate that the document ''amends'' the Code of Federal Regulations. The change was made in accordance with the Office of Federal Register's (OFR) interpretations of the Federal Register Act (44 U.S.C. chapter 15), its implementing regulations (1 CFR 5.9 and parts 21 and 22), and the Document Drafting Handbook.

health and provide reasonable assurance of safety and effectiveness. For a device to fall within this classification, and thus avoid automatic classification in class III, it would have to comply with the special controls named in this final order. The necessary special controls appear in the regulation codified by this final order. This device is subject to premarket notification requirements under section 510(k) of the FD&C Act.

III. Analysis of Environmental Impact

The Agency has determined under 21 CFR 25.34(b) that this action is of a type that does not individually or cumulatively have a significant effect on the human environment. Therefore, neither an environmental assessment nor an environmental impact statement is required.

IV. Paperwork Reduction Act of 1995

This final order establishes special controls that refer to previously approved collections of information found in other FDA regulations and guidance. These collections of information are subject to review by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3521). The collections of information in part 860, subpart D, regarding De Novo classification have been approved under OMB control number 0910–0844; the collections of information in 21 CFR part 814, subparts A through E, regarding premarket approval have been approved under OMB control number 0910–0231; the collections of information in part 807, subpart E, regarding premarket notification submissions have been approved under OMB control number 0910–0120; the collections of information in 21 CFR part 820 regarding quality system regulation have been approved under OMB control number 0910–0073; and the collections of information in 21 CFR parts 801 and 809 regarding labeling have been approved under OMB control number 0910–0485.

List of Subjects in 21 CFR Part 866

Biologics, Laboratories, Medical devices.

Therefore, under the Federal Food, Drug, and Cosmetic Act and under authority delegated to the Commissioner of Food and Drugs, 21 CFR part 866 is amended as follows:

PART 866—IMMUNOLOGY AND MICROBIOLOGY DEVICES

■ 1. The authority citation for part 866 continues to read as follows:

Authority: 21 U.S.C. 351, 360, 360c, 360e, 360j, 360l, 371.

■ 2. Add § 866.6070 to subpart G to read as follows:

§ 866.6070 Mutation detection test for myeloproliferative neoplasms.

(a) *Identification.* A mutation detection test for myeloproliferative neoplasms is an in vitro diagnostic device intended for the detection of the JAK2 V617F/G1849T allele in genomic DNA extracted from whole blood. The test is intended for use as an adjunct to evaluation of suspected polycythemia vera in conjunction with other clinicopathological factors.

(b) *Classification.* Class II (special controls). The special controls for this device are:

(1) Design verification and validation must include:

(i) A detailed description of all components in the test, including the following:

(A) A detailed description, including illustrations or photographs of non-standard equipment or methods, of the test components, including all required reagents, instrumentation, and equipment.

(B) Detailed documentation of the device software, including standalone software applications and hardware-based devices that incorporate software.

(C) A detailed description of methodology and assay procedures including appropriate internal and external quality controls that are recommended or provided. The description must identify those control elements that are incorporated into the testing procedure.

(D) A detailed specification for sample collection, processing, and storage.

(E) A description of the criteria for test result interpretation and reporting including result outputs, analytical sensitivity of the assay, and the values that will be reported.

(ii) Information that demonstrates the performance characteristics of the test, including:

(A) For indications for use based on a threshold established in a predicate device of this generic type, device performance data from either a method comparison study to the predicate device or through a clinical study demonstrating clinical validity using well-characterized prospectively or retrospectively obtained clinical specimens, as appropriate, representative of the intended use population.

(B) For indications for use based on a threshold not established in a predicate device of this generic type, device performance data from a clinical study demonstrating clinical validity using well-characterized prospectively or retrospectively obtained clinical specimens, as appropriate, representative of the intended use population.

(C) Device reproducibility data generated, using a minimum of three sites, of which at least two sites must be external sites, with two operators at each site. Each site must conduct a study that includes at least two operators per site, two runs per operator per day over a minimum of three non-consecutive days evaluating a sample panel that contains allelic frequencies that span the claimed measuring range, and include the clinical threshold allelic frequency. Pre-specified acceptance criteria must be provided and followed.

(D) Information on device traceability and a description of the value assignment process for calibrators and controls.

(E) Device precision data using clinical samples and controls to evaluate the within-lot, between-lot, within-run, between-run, and total variation.

(F) Device linearity data generated from samples covering the device measuring range and for any standards used in the quantitation of allelic frequencies.

(G) Device analytic sensitivity data, including limit of blank and limit of detection.

(H) Device specificity data, including interference and cross-contamination.

(I) Device and clinical specimen stability data, including real-time stability (long-term storage and in-use stability) and stability evaluating various storage times, temperatures, and freeze-thaw conditions, as appropriate.

(iii) Identification of risk mitigation elements used by the device, including a detailed description of all additional procedures, methods, and practices incorporated into the instructions for use that mitigate risks associated with testing using the device.

(2) The labeling required under § 809.10(b) of this chapter must include:

(i) An intended use statement, including an indication for use that includes the variant(s)

for which the assay was designed and validated, for example, JAK2 G1849T.

(ii) A detailed description of the performance studies conducted to

comply with paragraph (b)(1)(ii) of this section and a summary of the results.

Grace R. Graham,

Deputy Commissioner for Policy, Legislation, and International Affairs.

[FR Doc. 2025–16038 Filed 8–20–25; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 866

[Docket No. FDA–2025–N–2108]

Medical Devices; Immunology and Microbiology Devices; Classification of the Anti-Phospholipase A2 Receptor Immunological Test System

AGENCY: Food and Drug Administration, HHS.

ACTION: Final amendment; final order.

SUMMARY: The Food and Drug Administration (FDA, the Agency, or we) is classifying the anti-phospholipase A2 receptor immunological test system into class II (special controls). The special controls that apply to the device type are identified in this order and will be part of the codified language for the anti-phospholipase A2 receptor immunological test system's classification. We are taking this action because we have determined that classifying the device into class II will provide a reasonable assurance of safety and effectiveness of the device. We believe this action will also enhance patients' access to beneficial innovative devices, in part by reducing regulatory burdens.

DATES: This order is effective August 21, 2025. The classification was applicable on May 29, 2014.

FOR FURTHER INFORMATION CONTACT: Scott McFarland, Center for Devices and Radiological Health, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 66, Rm. 3572, Silver Spring, MD 20993–0002, 301–796–6217, *Scott.McFarland@fda.hhs.gov.*

SUPPLEMENTARY INFORMATION:

I. Background

Upon request, FDA has classified the anti-phospholipase A2 receptor immunological test system as class II (special controls), which we have determined will provide a reasonable assurance of safety and effectiveness. In addition, we believe this action will enhance patients' access to beneficial innovation, in part by reducing regulatory burdens by placing the device into a lower device class than the automatic class III assignment.

The automatic assignment of class III occurs by operation of law and without any action by FDA, regardless of the level of risk posed by the new device. Any device that was not in commercial distribution before May 28, 1976, is automatically classified as, and remains within, class III and requires premarket approval unless and until FDA takes an action to classify or reclassify the device (see 21 U.S.C. 360c(f)(1)). We refer to these devices as ''postamendments devices'' because they were not in commercial distribution prior to the date of enactment of the Medical Device Amendments of 1976, which amended the Federal Food, Drug, and Cosmetic Act (FD&C Act).

FDA may take a variety of actions in appropriate circumstances to classify or reclassify a device into class I or II. We may issue an order finding a new device to be substantially equivalent under section 513(i) of the FD&C Act (21 U.S.C. 360c(i)) to a predicate device that does not require premarket approval. We determine whether a new device is substantially equivalent to a predicate device by means of the procedures for premarket notification under section 510(k) of the FD&C Act (21 U.S.C. 360(k)) and part 807 (21 CFR part 807).

FDA may also classify a device through ''De Novo'' classification, a common name for the process authorized under section 513(f)(2) of the FD&C Act (see also part 860, subpart D (21 CFR part 860, subpart D)). Section 207 of the Food and Drug Administration Modernization Act of 1997 (Pub. L. 105–115) established the first procedure for De Novo classification. Section 607 of the Food and Drug Administration Safety and Innovation Act (Pub. L. 112–144) modified the De Novo application process by adding a second procedure. A device sponsor may utilize either procedure for De Novo classification.

Under the first procedure, the person submits a 510(k) for a device that has not previously been classified. After receiving an order from FDA classifying the device into class III under section 513(f)(1) of the FD&C Act, the person then requests a classification under section 513(f)(2).

Under the second procedure, rather than first submitting a 510(k) and then a request for classification, if the person determines that there is no legally marketed device upon which to base a determination of substantial equivalence, that person requests a classification under section 513(f)(2) of the FD&C Act.

Under either procedure for De Novo classification, FDA is required to classify the device by written order within 120 days. The classification will be according to the criteria under section 513(a)(1) of the FD&C Act. Although the device was automatically placed within class III, the De Novo classification is considered to be the initial classification of the device.

We believe this De Novo classification will enhance patients' access to beneficial innovation, in part by reducing regulatory burdens. When FDA classifies a device into class I or II via the De Novo process, the device can serve as a predicate for future devices of that type, including for 510(k)s (see section 513(f)(2)(B)(i) of the FD&C Act). As a result, other device sponsors do not have to submit a De Novo request or premarket approval application (PMA) to market a substantially equivalent device (see section 513(i) of the FD&C Act, defining ''substantial equivalence''). Instead, sponsors can use the less burdensome 510(k) process, when necessary, to market their device.

II. De Novo Classification

For this device, FDA issued an order on March 10, 2014, finding the EUROIMMUN Anti-PLA2R IFA not substantially equivalent to a predicate not subject to PMA. Thus, the device remained in class III in accordance with section 513(f)(1) of the FD&C Act when we issued the order.

On March 28, 2014, FDA received EUROIMMUN US Inc.'s, request for De Novo classification of the EUROIMMUN Anti-PLA2R IFA. FDA reviewed the request in order to classify the device under the criteria for classification set forth in section 513(a)(1) of the FD&C Act.

We classify devices into class II if general controls by themselves are insufficient to provide reasonable assurance of safety and effectiveness, but there is sufficient information to establish special controls that, in combination with the general controls, provide reasonable assurance of the safety and effectiveness of the device for its intended use (see section 513(a)(1)(B) of the FD&C Act). After review of the information submitted in the request, we determined that the device can be classified into class II with the establishment of special controls. FDA has determined that these special controls, in addition to general controls, will provide reasonable assurance of the safety and effectiveness of the device.

Therefore, on May 29, 2014, FDA issued an order to the requestor classifying the device into class II. In this final order, FDA is codifying the

classification of the device by adding 21 CFR 866.5780.[1] We have named the generic type of device anti-phospholipase A2 receptor immunological test system, and it is identified as a device that consists of the reagents used to measure by immunochemical techniques the autoantibodies in human blood samples that react with phospholipase A2 receptor. The measurements aid in the diagnosis of primary membranous glomerulonephritis (pMGN), in conjunction with other laboratory and clinical findings.

FDA has identified the following risks to health associated specifically with this type of device and the measures required to mitigate these risks in table 1.

TABLE 1—ANTI-PHOSPHOLIPASE A2 RECEPTOR IMMUNOLOGICAL TEST SYSTEM RISKS AND MITIGATION MEASURES

Identified risks to health	Mitigation measures
Inaccurate test results that provide false positive or false negative results	Special controls (1), (2), and (3).
Failure to correctly interpret test results can lead to false positive and false negative results	Special controls (1)(iii), (2), and (3).

FDA has determined that special controls, in combination with the general controls, address these risks to health and provide reasonable assurance of safety and effectiveness. For a device to fall within this classification, and thus avoid automatic classification in class III, it would have to comply with the special controls named in this final order. The necessary special controls appear in the regulation codified by this final order. This device is subject to premarket notification requirements under section 510(k) of the FD&C Act.

III. Analysis of Environmental Impact

The Agency has determined under 21 CFR 25.34(b) that this action is of a type that does not individually or cumulatively have a significant effect on the human environment. Therefore, neither an environmental assessment nor an environmental impact statement is required.

IV. Paperwork Reduction Act of 1995

This final order establishes special controls that refer to previously approved collections of information found in other FDA regulations. These collections of information are subject to review by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3521). The collections of information in part 860, subpart D, regarding De Novo classification have been approved under OMB control number 0910–0844; the collections of information 21 CFR part 814, subparts A through E, regarding premarket approval have been approved under OMB control number 0910–0231; the collections of information in part 807, subpart E, regarding premarket notification submissions have been approved under OMB control number 0910–0120; the collections of information in 21 CFR part 820 regarding quality system regulation have been approved under OMB control number 0910–0073; and the collections of information in 21 CFR parts 801 and 809 regarding labeling have been approved under OMB control number 0910–0485.

List of Subjects in 21 CFR Part 866

Biologics, Laboratories, Medical devices.

Therefore, under the Federal Food, Drug, and Cosmetic Act and under authority delegated to the Commissioner of Food and Drugs, 21 CFR part 866 is amended as follows:

PART 866—IMMUNOLOGY AND MICROBIOLOGY DEVICES

■ 1. The authority citation for 21 CFR part 866 continues to read as follows:

Authority: 21 U.S.C. 351, 360, 360c, 360e, 360j, 360l, 371.

■ 2. Add § 866.5780 to subpart F to read as follows:

§ 866.5780 Anti-phospholipase A2 receptor immunological test system.

(a) *Identification.* An anti-phospholipase A2 receptor immunological test system is a device that consists of the reagents used to measure by immunochemical techniques the autoantibodies in human blood samples that react with phospholipase A2 receptor. The measurements aid in the diagnosis of primary membranous glomerulonephritis (pMGN), in conjunction with other laboratory and clinical findings.

(b) *Classification.* Class II (special controls). The special controls for this device are:

(1) Design verification and validation must include:

(i) A detailed description of the device that includes:

(A) A detailed description of all parts of the test system, including a description of the assay parts in the kit and all required ancillary reagents;

(B) A detailed description of instrumentation and equipment, and illustrations or photographs of non-standard equipment or methods if applicable;

(C) Detailed documentation of the device software, including standalone software applications and hardware-based devices that incorporate software where applicable;

(D) A detailed description of appropriate internal and external quality controls that are recommended or provided. The description must identify those control elements that are incorporated into the recommended testing procedures;

(E) Detailed specifications for sample collection, processing, and storage;

(F) A detailed description of methodology and assay procedure; and

(G) Detailed specification of the criteria for test results interpretation and reporting.

(ii) Information that demonstrates the performance characteristics of the device, including:

(A) Device precision/reproducibility data generated from within-run, between-run, between-day, between-lot, between-operator, between-instruments, between-site, and total precision for multiple nonconsecutive days as applicable. A well-characterized panel of patient samples or pools from the intended use population that covers the device measuring range must be used;

(B) Device linearity data generated from patient samples covering the assay measuring range if applicable;

(C) Information on traceability to a reference material and description of value assignment of calibrators and controls if applicable;

[1] FDA notes that the ''ACTION'' caption for this final order is styled as ''Final amendment; final order,'' rather than ''Final order.'' Beginning in December 2019, this editorial change was made to indicate that the document ''amends'' the Code of Federal Regulations. The change was made in accordance with the Office of Federal Register's (OFR) interpretations of the Federal Register Act (44 U.S.C. chapter 15), its implementing regulations (1 CFR 5.9 and parts 21 and 22), and the Document Drafting Handbook.

(D) Device analytical sensitivity data, including limit of blank, limit of detection, and limit of quantitation if applicable;

(E) Device analytical specificity data, including interference by endogenous and exogenous substances, as well as cross-reactivity with samples derived from patients with other autoimmune diseases or conditions;

(F) Device instrument carryover data when applicable;

(G) Device stability data including real-time stability under various storage times and temperatures;

(H) Specimen stability data including stability under various storage times, temperatures, freeze-thaw, and transport conditions where appropriate;

(I) Method comparison data generated by comparison of the results obtained with the device to those obtained with a legally marketed predicate device with similar indication of use. Patient samples from the intended use population covering the device measuring range must be used;

(J) Specimen matrix comparison data if more than one specimen type or anticoagulant can be tested with the device. Samples used for comparison must be from patient samples covering the device measuring range;

(K) A description of how the assay cut-off (the medical decision point between positive and negative) was established and validated as well as supporting data;

(L) A clinical performance assessment established by comparing data generated by testing samples from the intended use population and differential diagnosis groups with the device to the clinical diagnostic standard. Diagnosis of pMGN must be based primarily on clinical history, physical examination, laboratory tests (including urinalysis), and renal biopsy. Membranous glomerulonephritis is considered to be idiopathic/primary when no secondary cause can be elucidated on the basis of clinical and laboratory criteria. The differential diagnosis groups must include secondary membranous glomerulonephritis, membranoproliferative glomerulonephritis, lupus nephritis, focal segmental glomerulosclerosis, IgA nephritis, diabetic nephropathy, systemic lupus erythematosus, systemic sclerosis, and Goodpasture syndrome. Diagnosis of autoimmune and immune-mediated diseases that are associated with membranous glomerulonephritis must be based on established diagnostic criteria and clinical evaluation. For all samples, clinical criteria, including demographic information, must be considered in the differentiation between pMGN and secondary membranous glomerulonephritis. The clinical validation results must demonstrate correlation clinical sensitivity and clinical specificity between the test values and the presence or absence of pMGN. The data must be summarized in tabular format comparing the interpretation of results to the disease status; and

(M) Expected/reference values generated by testing an adequate number of samples from apparently healthy normal individuals.

(iii) Identification of risk mitigation elements used by the device, including a description of all additional procedures, methods, and practices incorporated into the directions for use that mitigate risks associated with testing.

(2) The label required under § 809.10(a) and labeling required under § 809.10(b) of this chapter must include warnings relevant to the assay including:

(i) A warning statement that explains: The device is for use by laboratory professionals in a clinical laboratory setting;

(ii) A warning statement that explains: The test is not a standalone test but an adjunct to other clinical information. A diagnosis of pMGN or secondary MGN should not be made based on a single test result. The clinical symptoms, results on physical examination, and laboratory tests (*e.g.,* serological tests), when appropriate, should always be taken into account when considering the diagnosis of primary versus secondary MGN;

(iii) A warning statement that explains: Absence of circulating PLA2R autoantibody does not rule out a diagnosis of pMGN; and

(iv) A warning statement that explains: The assay has not been demonstrated to be effective for monitoring the stage of disease or its response to treatment.

(3) The labeling required under § 809.10(b) of this chapter must include a description of the protocol and performance studies performed in accordance with paragraph (b)(1)(ii) of this section and a summary of the results.

Grace R. Graham,

Deputy Commissioner for Policy, Legislation, and International Affairs.

[FR Doc. 2025–16031 Filed 8–20–25; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 866

[Docket No. FDA–2025–N–2106]

Medical Devices; Immunology and Microbiology Devices; Classification of the Device That Detects Nucleic Acid Sequences From Microorganisms Associated With Vaginitis and Bacterial Vaginosis

AGENCY: Food and Drug Administration, HHS.

ACTION: Final amendment; final order.

SUMMARY: The Food and Drug Administration (FDA, the Agency, or we) is classifying the device that detects nucleic acid sequences from microorganisms associated with vaginitis and bacterial vaginosis into class II (special controls). The special controls that apply to the device type are identified in this order and will be part of the codified language for the device that detects nucleic acid sequences from microorganisms associated with vaginitis and bacterial vaginosis's classification. We are taking this action because we have determined that classifying the device into class II will provide a reasonable assurance of safety and effectiveness of the device. We believe this action will also enhance patients' access to beneficial innovative devices, in part by reducing regulatory burdens.

DATES: This order is effective August 21, 2025. The classification was applicable on October 28, 2016.

FOR FURTHER INFORMATION CONTACT: Ryan Lubert, Center for Devices and Radiological Health, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 66, Rm. 3414, Silver Spring, MD, 20993–0002, 240–402–6357, *Ryan.Lubert@fda.hhs.gov.*

SUPPLEMENTARY INFORMATION:

I. Background

Upon request, FDA has classified the device that detects nucleic acid sequences from microorganisms associated with vaginitis and bacterial vaginosis as class II (special controls), which we have determined will provide a reasonable assurance of safety and effectiveness. In addition, we believe this action will enhance patients' access to beneficial innovation, in part by reducing regulatory burdens by placing the device into a lower device class than the automatic class III assignment.

The automatic assignment of class III occurs by operation of law and without

any action by FDA, regardless of the level of risk posed by the new device. Any device that was not in commercial distribution before May 28, 1976, is automatically classified as, and remains within, class III and requires premarket approval unless and until FDA takes an action to classify or reclassify the device (see 21 U.S.C. 360c(f)(1)). We refer to these devices as ''postamendments devices'' because they were not in commercial distribution prior to the date of enactment of the Medical Device Amendments of 1976, which amended the Federal Food, Drug, and Cosmetic Act (FD&C Act).

FDA may take a variety of actions in appropriate circumstances to classify or reclassify a device into class I or II. We may issue an order finding a new device to be substantially equivalent under section 513(i) of the FD&C Act (21 U.S.C. 360c(i)) to a predicate device that does not require premarket approval. We determine whether a new device is substantially equivalent to a predicate device by means of the procedures for premarket notification under section 510(k) of the FD&C Act (21 U.S.C. 360(k)) and part 807 (21 CFR part 807).

FDA may also classify a device through ''De Novo'' classification, a common name for the process authorized under section 513(f)(2) of the FD&C Act (see also part 860, subpart D (21 CFR part 860, subpart D)). Section 207 of the Food and Drug Administration Modernization Act of 1997 (Pub. L. 105–115) established the first procedure for De Novo classification. Section 607 of the Food and Drug Administration Safety and Innovation Act (Pub. L. 112–144) modified the De Novo application process by adding a second procedure. A device sponsor may utilize either procedure for De Novo classification.

Under the first procedure, the person submits a 510(k) for a device that has not previously been classified. After receiving an order from FDA classifying the device into class III under section 513(f)(1) of the FD&C Act, the person then requests a classification under section 513(f)(2).

Under the second procedure, rather than first submitting a 510(k) and then a request for classification, if the person determines that there is no legally marketed device upon which to base a determination of substantial equivalence, that person requests a classification under section 513(f)(2) of the FD&C Act.

Under either procedure for De Novo classification, FDA shall classify the device by written order within 120 days. The classification will be according to the criteria under section 513(a)(1) of the FD&C Act. Although the device was automatically placed within class III, the De Novo classification is considered to be the initial classification of the device.

We believe this De Novo classification will enhance patients' access to beneficial innovation, in part by reducing regulatory burdens. When FDA classifies a device into class I or II via the De Novo process, the device can serve as a predicate for future devices of that type, including for 510(k)s (see section 513(f)(2)(B)(i) of the FD&C Act). As a result, other device sponsors do not have to submit a De Novo request or premarket approval application to market a substantially equivalent device (see section 513(i) of the FD&C Act, defining ''substantial equivalence''). Instead, sponsors can use the less burdensome 510(k) process, when necessary, to market their device.

II. De Novo Classification

On January 12, 2016, FDA received GeneOhm Sciences Canada, Inc. (BD Diagnostics)'s request for De Novo classification of the BD Max Vaginal Panel. FDA reviewed the request in order to classify the device under the criteria for classification set forth in section 513(a)(1) of the FD&C Act.

We classify devices into class II if general controls by themselves are insufficient to provide reasonable assurance of safety and effectiveness, but there is sufficient information to establish special controls that, in combination with the general controls, provide reasonable assurance of the safety and effectiveness of the device for its intended use (see section 513(a)(1)(B) of the FD&C Act). After review of the information submitted in the request, we determined that the device can be classified into class II with the establishment of special controls. FDA has determined that these special controls, in addition to general controls, will provide reasonable assurance of the safety and effectiveness of the device.

Therefore, on October 28, 2016, FDA issued an order to the requestor classifying the device into class II. In this final order, FDA is codifying the classification of the device by adding 21 CFR 866.3975.[1] We have named the generic type of device ''device that detects nucleic acid sequences from microorganisms associated with vaginitis and bacterial vaginosis,'' and it is identified as a qualitative in vitro diagnostic device intended for the detection of microbial nucleic acid sequences in vaginal specimens collected from patients with signs and symptoms of vaginitis or bacterial vaginosis. This device is intended to aid in the diagnosis of vaginitis or bacterial vaginosis when used in conjunction with clinical signs and symptoms and other laboratory findings.

FDA has identified the following risks to health associated specifically with this type of device and the measures required to mitigate these risks in table 1.

TABLE 1—DEVICE THAT DETECTS NUCLEIC ACID SEQUENCES FROM MICROORGANISMS ASSOCIATED WITH VAGINITIS AND BACTERIAL VAGINOSIS RISKS AND MITIGATION MEASURES

Identified risks to health	Mitigation measures
Incorrect identification or lack of identification of a pathogenic microorganism by the device can lead to improper patient management.	General Controls and special controls (1).
Failure to correctly interpret test results	General controls and special controls (2).

FDA has determined that special controls, in combination with the general controls, address these risks to health and provide reasonable assurance of safety and effectiveness. For a device to fall within this classification, and thus avoid automatic classification in class III, it would have to comply with the special controls named in this final order. The necessary special controls appear in the regulation codified by this final order. This device is subject to

[1] FDA notes that the ACTION caption for this final order is styled as ''Final amendment; final order,'' rather than ''Final order.'' Beginning in December 2019, this editorial change was made to indicate that the document ''amends'' the Code of Federal Regulations. The change was made in accordance with the Office of Federal Register's (OFR) interpretations of the Federal Register Act (44 U.S.C. chapter 15), its implementing regulations (1 CFR 5.9 and parts 21 and 22), and the Document Drafting Handbook.

premarket notification requirements under section 510(k) of the FD&C Act.

III. Environmental Impact

The Agency has determined under 21 CFR 25.34(b) that this action is of a type that does not individually or cumulatively have a significant effect on the human environment. Therefore, neither an environmental assessment nor an environmental impact statement is required.

IV. Paperwork Reduction Act of 1995

This final order establishes special controls that refer to previously approved collections of information found in other FDA regulations. These collections of information are subject to review by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3521). The collections of information in part 860, subpart D, regarding De Novo Classification have been approved under OMB control number 0910–0844; the collections of information in 21 CFR part 814, subparts A through E, regarding premarket approval have been approved under OMB control number 0910–0231; the collections of information in part 807, subpart E, regarding premarket notification submissions have been approved under OMB control number 0910–0120, the collections of information in 21 CFR part 820 have been approved under OMB control number 0910–0073, and the collections of information in 21 CFR parts 801 and 809 regarding labeling have been approved under OMB control number 0910–0485.

List of Subjects in 21 CFR Part 866

Biologics, Laboratories, Medical devices.

Therefore, under the Federal Food, Drug, and Cosmetic Act and under authority delegated to the Commissioner of Food and Drugs, 21 CFR part 866 is amended as follows:

PART 866—IMMUNOLOGY AND MICROBIOLOGY DEVICES

■ 1. The authority citation for 21 CFR part 866 continues to read as follows:

Authority: 21 U.S.C. 351, 360, 360c, 360e, 360j, 360l, 371.

■ 2. Add § 866.3975 to subpart D to read as follows:

§ 866.3975 Device that detects nucleic acid sequences from microorganisms associated with vaginitis and bacterial vaginosis.

(a) *Identification.* A device that detects nucleic acid sequences from microorganisms associated with vaginitis and bacterial vaginosis is a qualitative in vitro diagnostic device intended for the detection of microbial nucleic acid sequences in vaginal specimens collected from patients with signs and symptoms of vaginitis or bacterial vaginosis. This device is intended to aid in the diagnosis of vaginitis or bacterial vaginosis when used in conjunction with clinical signs and symptoms and other laboratory findings.

(b) *Classification.* Class II (special controls). The special controls for this device are:

(1) Design verification and validation must include:

(i) Documentation with a detailed device description of device components; ancillary reagents required but not provided; and explanation of the methodology including primer/probe sequence, design, and rationale for sequence selection.

(ii)Documentation with information that demonstrates the performance characteristics of the device, including:

(A)Limit of Detection;

(B)Precision (reproductivity);

(C)Analytical specificity;

(D) Analytical reactivity (inclusivity);

(E) Specimen stability; and

(F) Effects of interfering substances.

(iii) Detailed documentation from a prospective clinical study. As appropriate to the intended use, the prospective clinical study must be performed on an appropriate study population, including women of various ages and ethnicities. The prospective clinical study must compare the device performance to results obtained from well-accepted comparator methods.

(iv) Detailed documentation for device software, including software applications and hardware-based devices that incorporate software.

(2) The labeling required under § 809.10(b) of this chapter must include:

(i) A detailed explanation of the interpretation of results and acceptance criteria;

(ii) For devices with an intended use that includes detection of nucleic acid sequences from bacteria associated with bacterial vaginosis, clinical performance stratified by patient demographics such as race, ethnicity, age, and pregnancy status.

(iii) For devices with an intended use that includes detection of nucleic acid sequences from bacteria associated with bacterial vaginosis, a summary of device results in an asymptomatic population with demographic characteristics appropriate to the intended use population.

(iv) For devices with an intended use that includes detection of either Candida species or bacteria associated with bacterial vaginosis, a limitation that *Candida* species and bacterial compositions associated with bacterial vaginosis can be present as part of normal vaginal flora and results should be considered in conjunction with available clinical information.

Grace R. Graham,

Deputy Commissioner for Policy, Legislation, and International Affairs.

[FR Doc. 2025–16030 Filed 8–20–25; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 876

[Docket No. FDA–2025–N–2823]

Medical Devices; Gastroenterology-Urology Devices; Classification of the Laparoscopic Gastrointestinal Sizing Tool

AGENCY: Food and Drug Administration, HHS.

ACTION: Final amendment: final order.

SUMMARY: The Food and Drug Administration (FDA, the Agency, or we) is classifying the laparoscopic gastrointestinal sizing tool into class II (special controls). The special controls that apply to the device type are identified in this order and will be part of the codified language for the classification of the laparoscopic gastrointestinal sizing tool. We are taking this action because we have determined that classifying the device into class II will provide a reasonable assurance of safety and effectiveness of the device. We believe this action will also enhance patients' access to beneficial innovative devices, in part by reducing regulatory burdens.

DATES: This order is effective August 21, 2025. The classification was applicable on February 4, 2020.

FOR FURTHER INFORMATION CONTACT: Pramodh Kariyawasam, Center for Devices and Radiological Health, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 66, Rm. 2536, Silver Spring, MD 20993–0002, 301–348–1911, *Pramodh.Kariyawasam@fda.hhs.gov.*

SUPPLEMENTARY INFORMATION:

I. Background

Upon request, FDA has classified the laparoscopic gastrointestinal sizing tool as class II (special controls), which we have determined will provide a

reasonable assurance of safety and effectiveness for its intended use. In addition, we believe this action will enhance patients' access to beneficial innovation, in part by reducing regulatory burdens by placing the device into the appropriate device class based on risk and the regulatory controls sufficient to provide reasonable assurance of safety and effectiveness.

FDA may classify a device through an accessory classification request under section 513(f)(6) of the Federal Food, Drug, and Cosmetic Act (FD&C Act) (21 U.S.C. 360c(f)(6)), established by section 707 of the FDA Reauthorization Act of 2017 (Pub. L. 115–52). The provision allows manufacturers or importers to request classification of an accessory distinct from another device upon written request. The classification is based on the risks of the accessory when used as intended as well as the level of regulatory controls necessary to provide a reasonable assurance of safety and effectiveness, notwithstanding the classification of any other device with which such accessory is intended to be used. Until an accessory is reclassified by FDA, the classification of any accessory distinct from another device by regulation or written order issued prior to December 13, 2016, will continue to apply.

Under section 513(f)(6)(D)(ii) of the FD&C Act, a manufacturer or importer may request appropriate classification of an accessory that has been granted marketing authorization as part of a premarket approval application (PMA), premarket notification (510(k)), or De Novo classification request. FDA must grant or deny the request not later than 85 days after receipt and, if granting, publish a notice in the **Federal Register** within 30 days of announcing the classification.

Alternatively, under section 513(f)(6)(C), a person filing a PMA or 510(k) may include a written request for the proper classification of an accessory that has not been classified distinctly from another device based on the risks of the accessory when used as intended and the level of regulatory controls necessary to provide a reasonable assurance of safety and effectiveness. When the written request is included in a submission for marketing authorization, FDA must grant or deny the request along with the response to the PMA or 510(k). Upon granting, FDA will publish a notice in the **Federal Register** within 30 days of announcing the classification.

II. Accessory Classification

On November 12, 2019, FDA received Torax Medical Inc.'s request for accessory classification of the LINX Reflux Management System—Esophagus Sizing Tool. FDA reviewed the request in order to classify the device under the criteria for classification set forth in section 513(a)(1) of the FD&C Act.

We classify devices into class II if general controls by themselves are insufficient to provide reasonable assurance of safety and effectiveness, but there is sufficient information to establish special controls that, in combination with the general controls, provide reasonable assurance of the safety and effectiveness of the device for its intended use (see section 513(a)(1)(B) of the FD&C Act). After review of the information submitted in the request, we determined that the device can be classified into class II with the establishment of special controls. FDA has determined that these special controls, in addition to the general controls, will provide reasonable assurance of the safety and effectiveness of the device.

Therefore, on February 4, 2020, FDA issued an order to the requester classifying the device into class II. In this final order, FDA is codifying the classification of the device by adding 21 CFR 876.5360.[1] We have named the generic type of device ''laparoscopic gastrointestinal sizing tool,'' and it is identified as a prescription use device intended for laparoscopically measuring an extraluminal dimensional parameter of the indicated gastrointestinal organs.

FDA has identified the following risks to health associated specifically with this type of device and the measures required to mitigate these risks in Table 1.

TABLE 1—LAPAROSCOPIC GASTROINTESTINAL SIZING TOOL RISKS AND MITIGATION MEASURES

Identified risks to health	Mitigation measures
Longer procedure time due to: • Use error • Inaccuracy of the size markers • Breaking • Unintentional separation of components	Non-clinical performance testing; Shelf life testing; and Labeling.
Adverse tissue reaction	Biocompatibility evaluation; and Labeling.
Retained foreign body due to: • Breaking • Unintentional separation of components	Non-clinical performance testing; Shelf life testing; and Labeling.
Infection	Non-clinical performance testing; Shelf life testing; Sterility and/or reprocessing validation; and Labeling

FDA has determined that special controls, in combination with the general controls, address these risks to health and provide reasonable assurance of safety and effectiveness. For a device to fall within this classification, and thus avoid automatic classification in class III, it would have to comply with the special controls named in this final order. The necessary special controls appear in the regulation codified by this final order. This device is subject to premarket notification requirements under section 510(k) of the FD&C Act (21 U.S.C. 360(k)).

At the time of classification, laparoscopic gastrointestinal sizing tools are for prescription use only. Prescription devices are exempt from the requirement for adequate directions

[1] FDA notes that the ''ACTION'' caption for this final order is styled as ''Final amendment; final order,'' rather than ''Final order.'' Beginning in December 2019, this editorial change was made to indicate that the document ''amends'' the Code of Federal Regulations. The change was made in accordance with the Office of Federal Register's (OFR) interpretations of the Federal Register Act (44 U.S.C. chapter 15), its implementing regulations (1 CFR 5.9 and parts 21 and 22), and the Document Drafting Handbook.

for use for the layperson under section 502(f)(1) of the FD&C Act (21 U.S.C. 352(f)(1)) and 21 CFR 801.5, as long as the conditions of 21 CFR 801.109 are met.

Section 510(m) of the FD&C Act provides that FDA may exempt a class II device from the premarket notification requirements under section 510(k) if, after notice of our intent to exempt and consideration of comments, we determine that premarket notification is not necessary to provide reasonable assurance of safety and effectiveness of the device. At a future date, we may publish a separate notice in the **Federal Register** announcing our intent to exempt this device type.

III. Analysis of Environmental Impact

The Agency has determined under 21 CFR 25.34(b) that this action is of a type that does not individually or cumulatively have a significant effect on the human environment. Therefore, neither an environmental assessment nor an environmental impact statement is required.

IV. Paperwork Reduction Act of 1995

This final order establishes special controls that refer to previously approved collections of information found in other FDA regulations and guidance. These collections of information are subject to review by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3521). The collections of information in 21 CFR part 860, subpart D, regarding De Novo classification have been approved under OMB control number 0910–0844; the collections of information in the guidance document ''Medical Device Accessories—Describing Accessories and Classification Pathways'' have been approved under OMB control number 0910–0823; the collections of information in part 814, subparts A through E, regarding premarket approval have been approved under OMB control number 0910–0231; the collections of information in 21 CFR part 820 regarding quality system regulation have been approved under OMB control number 0910–0073; the collections of information in 21 CFR part 807, subpart E, regarding premarket notification submissions have been approved under OMB control number 0910–0120; and the collections of information in part 801 regarding labeling have been approved under OMB control number 0910–0485.

List of Subjects in 21 CFR Part 876

Medical devices.

Therefore, under the Federal Food, Drug, and Cosmetic Act and under authority delegated to the Commissioner of Food and Drugs, 21 CFR part 876 is amended as follows:

PART 876—GASTROENTEROLOGY–UROLOGY DEVICES

■ 1. The authority citation for part 876 continues to read as follows:

Authority: 21 U.S.C. 351, 360, 360c, 360e, 360j, 360l, 371.

■ 2. Add § 876.5360 to subpart F to read as follows:

§ 876.5360 Laparoscopic gastrointestinal sizing tool.

(a) *Identification.* A laparoscopic gastrointestinal sizing tool is a prescription use device intended for laparoscopically measuring an extraluminal dimensional parameter of the indicated gastrointestinal organs.

(b) *Classification.* Class II (special controls). The special controls for this device are:

(1) Performance testing must demonstrate that the sizing tool performs as intended under anticipated conditions of use. Performance testing must include the following:

(i) Trocar compatibility, which includes shaft bending force characterization;

(ii) Joint strength tensile testing;

(iii) Distal loop extension/retraction force characterization;

(iv) Material selection analysis, which includes corrosion and visual inspection; and

(v) Accuracy of the dimensional measurement.

(2) Performance testing must support the sterility and/or reprocessing and shelf life of the patient-contacting components of the device.

(3) The patient-contacting components of the device must be demonstrated to be biocompatible.

(4) Labeling of the device must include the following:

(i) A statement regarding metal allergies if the device is made from metallic components;

(ii) Specific instructions for proper device use including information regarding the following:

(A) Inspection of device prior to use;

(B) Surgical access techniques or methodologies;

(C) Instructions for avoiding structural damage to vagus nerve bundle;

(D) Trocar compatibility;

(E) Sizing methodology; and

(F) Minimum and maximum dimensional parameters that the device is capable of measuring.

(iii) Identification of the associated parent device with which the sizing tool has been demonstrated to be compatible; and

(iv) An expiration date.

Grace R. Graham,

Deputy Commissioner for Policy, Legislation, and International Affairs.

[FR Doc. 2025–16041 Filed 8–20–25; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 888

[Docket No. FDA–2025–N–2523]

Medical Devices; Orthopedic Devices; Classification of Orthopedic Manual Surgical Instrumentation for Use With Non-Fusion Spinous Process Spacer Devices

AGENCY: Food and Drug Administration, HHS.

ACTION: Final amendment; final order.

SUMMARY: The Food and Drug Administration (FDA, the Agency, or we) is classifying orthopedic manual surgical instrumentation for use with non-fusion spinous process spacer devices into class II (special controls). The special controls that apply to the device type are identified in this order and will be part of the codified language for classification of orthopedic manual surgical instrumentation for use with non-fusion spinous process spacer devices. We are taking this action because we have determined that classifying the device into class II will provide a reasonable assurance of safety and effectiveness of the device. We believe this action will also enhance patients' access to beneficial innovative devices, in part by reducing regulatory burdens.

DATES: This order is effective August 21, 2025. The classification was applicable on July 6, 2020.

FOR FURTHER INFORMATION CONTACT: Anne Talley, Center for Devices and Radiological Health, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 66, Rm. G225, Silver Spring, MD 20993–0002, 240–402–6536, *Anne.Talley@fda.hhs.gov.*

SUPPLEMENTARY INFORMATION:

I. Background

Upon request, FDA has classified orthopedic manual surgical instrumentation for use with non-fusion spinous process spacer devices as class II (special controls), which we have determined will provide a reasonable

assurance of safety and effectiveness for its intended use. In addition, we believe this action will enhance patients' access to beneficial innovation, in part by reducing regulatory burdens by placing the device into the appropriate device class based on risk and the regulatory controls sufficient to provide reasonable assurance of safety and effectiveness.

FDA may classify a device through an accessory classification request under section 513(f)(6) of the Federal Food, Drug, and Cosmetic Act (FD&C Act) (21 U.S.C. 360c(f)(6)), established by section 707 of the FDA Reauthorization Act of 2017 (Pub. L. 115–52). The provision allows manufacturers or importers to request classification of an accessory distinct from another device upon written request. The classification is based on the risks of the accessory when used as intended as well as the level of regulatory controls necessary to provide a reasonable assurance of safety and effectiveness, notwithstanding the classification of any other device with which such accessory is intended to be used. Until an accessory is reclassified by FDA, the classification of any accessory distinct from another device by regulation or written order issued prior to December 13, 2016, will continue to apply.

Under section 513(f)(6)(D)(ii) of the FD&C Act, a manufacturer or importer may request appropriate classification of an accessory that has been granted marketing authorization as part of a premarket approval application (PMA), premarket notification (510(k)), or De Novo classification request. FDA must grant or deny the request not later than 85 days after receipt and, if granting, publish a notice in the **Federal Register** within 30 days of announcing the classification.

Alternatively, under section 513(f)(6)(C) of the FD&C Act, a person filing a PMA or 510(k) may include a written request for the proper classification of an accessory that has not been classified distinctly from another device based on the risks of the accessory when used as intended and the level of regulatory controls necessary to provide a reasonable assurance of safety and effectiveness. When the written request is included in a submission for marketing authorization, FDA must grant or deny the request along with the response to the PMA or 510(k). Upon granting, FDA will publish a notice in the **Federal Register** within 30 days of announcing the classification.

II. Accessory Classification

On April 15, 2020, FDA received RTI Surgical, Inc.'s request for accessory classification of coflex Interlaminar Technology Instrumentation. FDA reviewed the request in order to classify the device under the criteria for classification set forth in section 513(a)(1) of the FD&C Act.

We classify devices into class II if general controls by themselves are insufficient to provide reasonable assurance of safety and effectiveness, but there is sufficient information to establish special controls that, in combination with the general controls, provide reasonable assurance of the safety and effectiveness of the device for its intended use (see section 513(a)(1)(B) of the FD&C Act). After review of the information submitted in the request, we determined that the device can be classified into class II with the establishment of special controls. FDA has determined that these special controls, in addition to the general controls, will provide reasonable assurance of the safety and effectiveness of the device.

Therefore, on July 6, 2020, FDA issued an order to the requester classifying the device into class II. In this final order, FDA is codifying the classification of the device by adding 21 CFR 888.4520.[1] We have named the generic type of device ''orthopedic manual surgical instrumentation for use with non-fusion spinous process spacer devices,'' and they are identified as non-powered hand-held devices designed specifically for use with non-fusion spinous process spacer devices and interface with the associated implant for the purpose of inserting, positioning, or removing the implant. This type of device includes instruments specific to the geometry of the implant.

FDA has identified the following risks to health associated specifically with this type of device and the measures required to mitigate these risks in table 1.

TABLE 1—ORTHOPEDIC MANUAL SURGICAL INSTRUMENTATION FOR USE WITH NON-FUSION SPINOUS PROCESS SPACER DEVICES RISKS AND MITIGATION MEASURES

Identified risks to health	Mitigation measures
Adverse tissue reaction	Biocompatibility evaluation.
Infection	Reprocessing validation, Sterilization validation, and Labeling.
Implant damage or malpositioning	Validation of technical specifications, and Labeling.

FDA has determined that special controls, in combination with the general controls, address these risks to health and provide reasonable assurance of safety and effectiveness. For a device to fall within this classification, and thus avoid automatic classification in class III, it would have to comply with the special controls named in this final order. The necessary special controls appear in the regulation codified by this final order. This device is subject to premarket notification requirements under section 510(k) of the FD&C Act (21 U.S.C. 360(k)).

Section 510(m) of the FD&C Act provides that FDA may exempt a class II device from the premarket notification requirements under section 510(k) if, after notice of our intent to exempt and consideration of comments, we determine that premarket notification is not necessary to provide reasonable assurance of safety and effectiveness of the device. At a future date, we may publish a separate notice in the **Federal Register** announcing our intent to exempt this device.

III. Analysis of Environmental Impact

The Agency has determined under 21 CFR 25.34(b) that this action is of a type that does not individually or cumulatively have a significant effect on the human environment. Therefore, neither an environmental assessment nor an environmental impact statement is required.

[1] FDA notes that the ''ACTION'' caption for this final order is styled as ''Final amendment; final order,'' rather than ''Final order.'' Beginning in December 2019, this editorial change was made to indicate that the document ''amends'' the Code of Federal Regulations. The change was made in accordance with the Office of Federal Register's (OFR) interpretations of the Federal Register Act (44 U.S.C. chapter 15), its implementing regulations (1 CFR 5.9 and parts 21 and 22), and the Document Drafting Handbook.

IV. Paperwork Reduction Act of 1995

This final order establishes special controls that refer to previously approved collections of information found in other FDA regulations and guidance. These collections of information are subject to review by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3521). The collections of information in 21 CFR part 860, subpart D, regarding De Novo classification have been approved under OMB control number 0910–0844; the collections of information in the guidance document ''Medical Device Accessories—Describing Accessories and Classification Pathways'' have been approved under OMB control number 0910–0823; the collections of information in part 814, subparts A through E, regarding premarket approval have been approved under OMB control number 0910–0231; the collections of information in 21 CFR part 820 regarding quality system regulation have been approved under OMB control number 0910–0073; the collections of information in part 807, subpart E, regarding premarket notification submissions have been approved under OMB control number 0910–0120; and the collections of information in part 801 regarding labeling have been approved under OMB control number 0910–0485.

List of Subjects in 21 CFR Part 888

Medical devices.

Therefore, under the Federal Food, Drug, and Cosmetic Act and under authority delegated to the Commissioner of Food and Drugs, 21 CFR part 888 is amended as follows:

PART 888—ORTHOPEDIC DEVICES

■ 1. The authority citation for part 888 continues to read as follows:

Authority: 21 U.S.C. 351, 360, 360c, 360e, 360j, 360*l,* 371.

■ 2. Add § 888.4520 to subpart E to read as follows:

§ 888.4520 Orthopedic manual surgical instrumentation for use with non-fusion spinous process spacer devices.

(a) *Identification.* Orthopedic manual surgical instrumentation for use with non-fusion spinous process spacer devices are non-powered hand-held devices designed specifically for use with non-fusion spinous process spacer devices and interface with the associated implant for the purpose of inserting, positioning, or removing the implant. This type of device includes instruments specific to the geometry of the implant.

(b) *Classification.* Class II (special controls). The special controls for this device are:

(1) Technical specifications regarding geometry of the instruments must be specified and validated to demonstrate that the instruments can safely position, place, or remove the implant.

(2) The patient contacting components of the device must be demonstrated to be biocompatible.

(3) Performance data must demonstrate that reprocessing of reusable devices that are provided non-sterile, or sterilization of devices provided sterile, is validated.

(4) Labeling must include:

(i) Identification of implant(s) and instruments which have been validated for use together; and

(ii) Validated methods and instructions for reprocessing any reusable parts.

Grace R. Graham,

Deputy Commissioner for Policy, Legislation, and International Affairs.

[FR Doc. 2025–16040 Filed 8–20–25; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 888

[Docket No. FDA–2025–N–2520]

Medical Devices; Orthopedic Devices; Classification of Orthopedic Manual Surgical Instrumentation for Use With Total Disc Replacement Devices

AGENCY: Food and Drug Administration, HHS.

ACTION: Final amendment; final order.

SUMMARY: The Food and Drug Administration (FDA, the Agency, or we) is classifying orthopedic manual surgical instrumentation for use with total disc replacement devices into class II (special controls). The special controls that apply to the device type are identified in this order and will be part of the codified language for classification of orthopedic manual surgical instrumentation for use with total disc replacement devices. We are taking this action because we have determined that classifying the device into class II will provide a reasonable assurance of safety and effectiveness of the device. We believe this action will also enhance patients' access to beneficial innovative devices, in part by reducing regulatory burdens.

DATES: This order is effective August 21, 2025. The classification was applicable on June 24, 2020.

FOR FURTHER INFORMATION CONTACT: Michael Molyneaux-Francis, Center for Devices and Radiological Health, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 66, Rm. 4508, Silver Spring, MD 20993–0002, 240–402–5178, *Michael.Molyneaux-francis@fda.hhs.gov.*

SUPPLEMENTARY INFORMATION:

I. Background

Upon request, FDA has classified orthopedic manual surgical instrumentation for use with total disc replacement devices as class II (special controls), which we have determined will provide a reasonable assurance of safety and effectiveness for its intended use. In addition, we believe this action will enhance patients' access to beneficial innovation, in part by reducing regulatory burdens by placing the device into the appropriate device class based on risk and the regulatory controls sufficient to provide reasonable assurance of safety and effectiveness.

FDA may classify a device through an accessory classification request under section 513(f)(6) of the Federal Food, Drug, and Cosmetic Act (FD&C Act) (21 U.S.C. 360c(f)(6)), established by section 707 of the FDA Reauthorization Act of 2017 (Pub. L. 115–52). The provision allows manufacturers or importers to request classification of an accessory distinct from another device upon written request. The classification is based on the risks of the accessory when used as intended as well as the level of regulatory controls necessary to provide a reasonable assurance of safety and effectiveness, notwithstanding the classification of any other device with which such accessory is intended to be used. Until an accessory is reclassified by FDA, the classification of any accessory distinct from another device by regulation or written order issued prior to December 13, 2016, will continue to apply.

Under section 513(f)(6)(D)(ii) of the FD&C Act, a manufacturer or importer may request appropriate classification of an accessory that has been granted marketing authorization as part of a premarket approval application (PMA), premarket notification (510(k)), or De Novo classification request. FDA must grant or deny the request not later than 85 days after receipt and, if granting, publish a notice in the **Federal Register** within 30 days announcing the classification.

Alternatively, under section 513(f)(6)(C) of the FD&C Act, a person

filing a PMA or 510(k) may include a written request for the proper classification of an accessory that has not been classified distinctly from another device based on the risks of the accessory when used as intended and the level of regulatory controls necessary to provide a reasonable assurance of safety and effectiveness. When the written request is included in a submission for marketing authorization, FDA must grant or deny the request along with the response to the PMA or 510(k). Upon granting, FDA will publish a notice in the **Federal Register** within 30 days announcing the classification.

II. Accessory Classification

On March 31, 2020, FDA received Spinal Kinetics LLC's request for accessory classification of M6–C Artificial Cervical Disc Instrumentation. FDA reviewed the request in order to classify the device under the criteria for classification set forth in section 513(a)(1) of the FD&C Act.

We classify devices into class II if general controls by themselves are insufficient to provide reasonable assurance of safety and effectiveness, but there is sufficient information to establish special controls that, in combination with the general controls, provide reasonable assurance of the safety and effectiveness of the device for its intended use (see section 513(a)(1)(B) of the FD&C Act). After review of the information submitted in the request, we determined that the device can be classified into class II with the establishment of special controls. FDA has determined that these special controls, in addition to the general controls, will provide reasonable assurance of the safety and effectiveness of the device.

Therefore, on June 24, 2020, FDA issued an order to the requester classifying the device into class II. In this final order, FDA is codifying the classification of the device by adding 21 CFR 888.4515.[1] We have named the generic type of device ''orthopedic manual surgical instrumentation for use with total disc replacement devices,'' and they are identified as non-powered hand-held devices designed specifically for use with a total disc replacement device and interface with the associated implant for the purpose of insertion, removal, placement, or repositioning, or to cut, rasp, or create a defect specific to the features of the associated implant. This type of device includes instruments specific to the geometry of the implant.

FDA has identified the following risks to health associated specifically with this type of device and the measures required to mitigate these risks in table 1.

TABLE 1—ORTHOPEDIC MANUAL SURGICAL INSTRUMENTATION FOR USE WITH TOTAL DISC REPLACEMENT DEVICES RISKS AND MITIGATION MEASURES

Identified risks to health	Mitigation measures
Adverse tissue reaction	Biocompatibility evaluation.
Infection	Reprocessing validation, Sterilization validation, and Labeling.
Implant damage or malpositioning	Validation of technical specifications, and Labeling.

FDA has determined that special controls, in combination with the general controls, address these risks to health and provide reasonable assurance of safety and effectiveness. For a device to fall within this classification, and thus avoid automatic classification in class III, it would have to comply with the special controls named in this final order. The necessary special controls appear in the regulation codified by this final order. This device is subject to premarket notification requirements under section 510(k) of the FD&C Act (21 U.S.C. 360(k)).

Section 510(m) of the FD&C Act provides that FDA may exempt a class II device from the premarket notification requirements under section 510(k) if, after notice of our intent to exempt and consideration of comments, we determine that premarket notification is not necessary to provide reasonable assurance of safety and effectiveness of the device. At a future date, we may publish a separate notice in the **Federal Register** announcing our intent to exempt this device.

III. Analysis of Environmental Impact

The Agency has determined under 21 CFR 25.34(b) that this action is of a type that does not individually or cumulatively have a significant effect on the human environment. Therefore, neither an environmental assessment nor an environmental impact statement is required.

IV. Paperwork Reduction Act of 1995

This final order establishes special controls that refer to previously approved collections of information found in other FDA regulations and guidance. These collections of information are subject to review by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3521). The collections of information in part 860, subpart D, regarding De Novo classification have been approved under OMB control number 0910–0844; the collections of information in the guidance document ''Medical Device Accessories–Describing Accessories and Classification Pathways'' have been approved under OMB control number 0910–0823; the collections of information in part 814, subparts A through E, regarding premarket approval have been approved under OMB control number 0910–0231; the collections of information in 21 CFR part 820 regarding quality system regulation have been approved under OMB control number 0910–0073; the collections of information in part 807, subpart E, regarding premarket notification submissions have been approved under OMB control number 0910–0120; and the collections of information in part 801 regarding labeling have been approved under OMB control number 0910–0485.

List of Subjects in 21 CFR Part 888

Medical devices.

[1] FDA notes that the ''ACTION'' caption for this final order is styled as ''Final amendment; final order,'' rather than ''Final order.'' Beginning in December 2019, this editorial change was made to indicate that the document ''amends'' the Code of Federal Regulations. The change was made in accordance with the Office of Federal Register's (OFR) interpretations of the Federal Register Act (44 U.S.C. chapter 15), its implementing regulations (1 CFR 5.9 and parts 21 and 22), and the Document Drafting Handbook.

Therefore, under the Federal Food, Drug, and Cosmetic Act and under authority delegated to the Commissioner of Food and Drugs, 21 CFR part 888 is amended as follows:

PART 888—ORTHOPEDIC DEVICES

■ 1. The authority citation for part 888 continues to read as follows:

Authority: 21 U.S.C. 351, 360, 360c, 360e, 360j, 360l, 371.

■ 2. Add § 888.4515 to subpart E to read as follows:

§ 888.4515 Orthopedic manual surgical instrumentation for use with total disc replacement devices.

(a) *Identification.* Orthopedic manual surgical instrumentation for use with total disc replacement devices are non-powered hand-held devices designed specifically for use with a total disc replacement device and interface with the associated implant for the purpose of insertion, removal, placement, or repositioning, or to cut, rasp, or create a defect specific to the features of the associated implant. This type of device includes instruments specific to the geometry of the implant.

(b) *Classification.* Class II (special controls). The special controls for this device are:

(1) Technical specifications regarding geometry of the instruments must be specified and validated to demonstrate that the instruments can safely position, place, or remove the implant.

(2) The patient contacting components of the device must be demonstrated to be biocompatible.

(3) Performance data must demonstrate that reprocessing of reusable devices that are provided non-sterile, or sterilization of devices provided sterile, is validated.

(4) Labeling must include:

(i) Identification of implant(s) and instruments which have been validated for use together; and

(ii) Validated methods and instructions for reprocessing any reusable parts.

Grace R. Graham,

Deputy Commissioner for Policy, Legislation, and International Affairs.

[FR Doc. 2025–16039 Filed 8–20–25; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 892

[Docket No. FDA–2025–N–2369]

Medical Devices; Radiology Devices; Classification of the Liver Iron Concentration Imaging Companion Diagnostic for Deferasirox

AGENCY: Food and Drug Administration, HHS.

ACTION: Final amendment; final order.

SUMMARY: The Food and Drug Administration (FDA, the Agency, or we) is classifying the liver iron concentration imaging companion diagnostic for deferasirox into class II (special controls). The special controls that apply to the device type are identified in this order and will be part of the codified language for classification of the liver iron concentration imaging companion diagnostic for deferasirox. We are taking this action because we have determined that classifying the device into class II will provide a reasonable assurance of safety and effectiveness of the device. We believe this action will also enhance patients' access to beneficial innovative devices, in part by reducing regulatory burdens.

DATES: This order is effective August 21, 2025. The classification was applicable on January 23, 2013.

FOR FURTHER INFORMATION CONTACT: Daniel Krainak, Center for Devices and Radiological Health, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 66, Rm. 3674, Silver Spring, MD 20993–0002, 301–796–0478, *Daniel.Krainak@fda.hhs.gov.*

SUPPLEMENTARY INFORMATION:

I. Background

Upon request, FDA has classified the liver iron concentration imaging companion diagnostic for deferasirox as class II (special controls), which we have determined will provide a reasonable assurance of safety and effectiveness. In addition, we believe this action will enhance patients' access to beneficial innovation, in part by reducing regulatory burdens by placing the device into a lower device class than the automatic class III assignment.

The automatic assignment of class III occurs by operation of law and without any action by FDA, regardless of the level of risk posed by the new device. Any device that was not in commercial distribution before May 28, 1976, is automatically classified as, and remains within, class III and requires premarket approval unless and until FDA takes an action to classify or reclassify the device (21 U.S.C. 360c(f)(1)). We refer to these devices as ''postamendments devices'' because they were not in commercial distribution prior to the date of enactment of the Medical Device Amendments of 1976, which amended the Federal Food, Drug, and Cosmetic Act (FD&C Act).

FDA may take a variety of actions in appropriate circumstances to classify or reclassify a device into class I or II. We may issue an order finding a new device to be substantially equivalent under section 513(i) of the FD&C Act (21 U.S.C. 360c(i)) to a predicate device that does not require premarket approval. We determine whether a new device is substantially equivalent to a predicate device by means of the procedures for premarket notification under section 510(k) of the FD&C Act (21 U.S.C. 360(k)) and part 807 (21 CFR part 807).

FDA may also classify a device through ''De Novo'' classification, a common name for the process authorized under section 513(f)(2) of the FD&C Act (see also part 860, subpart D (21 CFR part 860, subpart D)). Section 207 of the Food and Drug Administration Modernization Act of 1997 (Pub. L. 105–115) established the first procedure for De Novo classification. Section 607 of the Food and Drug Administration Safety and Innovation Act (Pub. L. 112–144) modified the De Novo application process by adding a second procedure. A device sponsor may utilize either procedure for De Novo classification.

Under the first procedure, the person submits a 510(k) for a device that has not previously been classified. After receiving an order from FDA classifying the device into class III under section 513(f)(1) of the FD&C Act, the person then requests a classification under section 513(f)(2).

Under the second procedure, rather than first submitting a 510(k) and then a request for classification, if the person determines that there is no legally marketed device upon which to base a determination of substantial equivalence, that person requests a classification under section 513(f)(2) of the FD&C Act.

Under either procedure for De Novo classification, FDA is required to classify the device by written order within 120 days. The classification will be according to the criteria under section 513(a)(1) of the FD&C Act. Although the device was automatically placed within class III, the De Novo

classification is considered to be the initial classification of the device.

We believe this De Novo classification will enhance patients' access to beneficial innovation, in part by reducing regulatory burdens. When FDA classifies a device into class I or II via the De Novo process, the device can serve as a predicate for future devices of that type, including for 510(k)s (see section 513(f)(2)(B)(i) of the FD&C Act). As a result, other device sponsors do not have to submit a De Novo request or premarket approval application to market a substantially equivalent device (see section 513(i) of the FD&C Act, defining ''substantial equivalence''). Instead, sponsors can use the less burdensome 510(k) process, when necessary, to market their device.

II. De Novo Classification

On December 21, 2012, FDA received Resonance Health Services' request for De Novo classification of the FerriScan R2–MRI Analysis System. FDA reviewed the request in order to classify the device under the criteria for classification set forth in section 513(a)(1) of the FD&C Act.

We classify devices into class II if general controls by themselves are insufficient to provide reasonable assurance of safety and effectiveness, but there is sufficient information to establish special controls that, in combination with the general controls, provide reasonable assurance of the safety and effectiveness of the device for its intended use (see section 513(a)(1)(B) of the FD&C Act). After review of the information submitted in the request, we determined that the device can be classified into class II with the establishment of special controls. FDA has determined that these special controls, in addition to the general controls, will provide reasonable assurance of the safety and effectiveness of the device.

Therefore, on January 23, 2013, FDA issued an order to the requester classifying the device into class II. In this final order, FDA is codifying the classification of the device by adding 21 CFR 892.1001.[1] We have named the generic type of device ''liver iron concentration imaging companion diagnostic for deferasirox'', and it is identified as an image processing device intended to aid in the identification and monitoring of non-transfusion-dependent thalassemia patients receiving therapy with deferasirox. The device calculates a numeric value for liver iron concentration based on magnetic resonance images acquired under controlled conditions. The calculated numeric value is used to assess the need for deferasirox treatment and for monitoring treatment in patients with non-transfusion-dependent thalassemia. The liver iron concentration imaging companion diagnostic for deferasirox is essential to the safe and effective use of deferasirox in patients with non-transfusion-dependent thalassemia.

FDA has identified the following risks to health associated specifically with this type of device and the measures required to mitigate these risks in table 1.

TABLE 1—LIVER IRON CONCENTRATION IMAGING COMPANION DIAGNOSTIC FOR DEFERASIROX RISKS AND MITIGATION MEASURES

Identified risks to health	Mitigation measures
False positive result	Special controls (1), (2)(i), and (2)(ii).
False negative result	Special controls (1), (2)(i), and (2)(ii).
Sensitivity and specificity are not suitable for clinical decision making	Special controls (1) and (2)(iii).

FDA has determined that special controls, in combination with the general controls, address these risks to health and provide reasonable assurance of safety and effectiveness. For a device to fall within this classification, and thus avoid automatic classification in class III, it would have to comply with the special controls named in this final order. The necessary special controls appear in the regulation codified by this final order. This device is subject to premarket notification requirements under section 510(k) of the FD&C Act.

III. Analysis of Environmental Impact

The Agency has determined under 21 CFR 25.34(b) that this action is of a type that does not individually or cumulatively have a significant effect on the human environment. Therefore, neither an environmental assessment nor an environmental impact statement is required.

IV. Paperwork Reduction Act of 1995

This final order establishes special controls that refer to previously approved collections of information found in other FDA regulations and guidance. These collections of information are subject to review by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3521). The collections of information in part 860, subpart D, regarding De Novo classification have been approved under OMB control number 0910–0844; the collections of information in 21 CFR part 814, subparts A through E, regarding premarket approval have been approved under OMB control number 0910–0231; the collections of information in part 807, subpart E, regarding premarket notification submissions have been approved under OMB control number 0910–0120; the collections of information in 21 CFR part 820 regarding quality system regulation have been approved under OMB control number 0910–0073; and the collections of information in 21 CFR part 801 regarding labeling have been approved under OMB control number 0910–0485.

List of Subjects in 21 CFR Part 892

Medical devices, Radiation protection, X-rays.

Therefore, under the Federal Food, Drug, and Cosmetic Act and under authority delegated to the Commissioner of Food and Drugs, 21 CFR part 892 is amended as follows:

PART 892—RADIOLOGY DEVICES

■ 1. The authority citation for part 892 continues to read as follows:

Authority: 21 U.S.C. 351, 360, 360c, 360e, 360j, 360l, 371.

■ 2. Add § 892.1001 to subpart B to read as follows:

[1] FDA notes that the ''ACTION'' caption for this final order is styled as ''Final amendment; final order,'' rather than ''Final order.'' Beginning in December 2019, this editorial change was made to indicate that the document ''amends'' the Code of Federal Regulations. The change was made in accordance with the Office of Federal Register's (OFR) interpretations of the Federal Register Act (44 U.S.C. chapter 15), its implementing regulations (1 CFR 5.9 and parts 21 and 22), and the Document Drafting Handbook.

§ 892.1001 Liver iron concentration imaging companion diagnostic for deferasirox.

(a) *Identification.* The liver iron concentration imaging companion diagnostic for deferasirox is an image processing device intended to aid in the identification and monitoring of non-transfusion-dependent thalassemia patients receiving therapy with deferasirox. The device calculates a numeric value for liver iron concentration based on magnetic resonance images acquired under controlled conditions. The calculated numeric value is used to assess the need for deferasirox treatment and for monitoring treatment in patients with non-transfusion-dependent thalassemia. The liver iron concentration imaging companion diagnostic for deferasirox is essential to the safe and effective use of deferasirox in patients with non-transfusion-dependent thalassemia.

(b) *Classification.* Class II (special controls). The special controls for this device are:

(1) Design verification and validation must include nonclinical and clinical performance testing demonstrating the bias, precision, repeatability, and reproducibility of liver iron concentration measurements.

(2) Labeling must include specifying:

(i) Instructions for acceptance testing of images prior to processing;

(ii) Data processing quality assurance protocols; and

(iii) The sensitivity and specificity of liver iron concentration measurements.

Grace R. Graham,

Deputy Commissioner for Policy, Legislation, and International Affairs.

[FR Doc. 2025–16033 Filed 8–20–25; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

23 CFR Part 630

[Docket No. FHWA–2025–0019]

RIN 2125–AG26

Rescinding Regulations on Procedures for Advance Construction of Federal-Aid Projects

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

ACTION: Final rule.

SUMMARY: FHWA rescinds a specific labeling provision of the rule issued on March 30, 1990, on Advance Construction of Federal-aid Projects.

DATES: This final rule is effective September 22, 2025.

FOR FURTHER INFORMATION CONTACT: For questions about this rulemaking, please contact Mr. Anthony DeSimone, FHWA Office of Infrastructure, 317–226–5307, or via email at *Anthony.DeSimone@dot.gov.* For legal questions, please contact Mr. Michael Harkins, FHWA Office of Chief Counsel, 202–366–1523, or via email at *Michael.Harkins@dot.gov.* Office hours for FHWA are from 8:00 a.m. to 4:30 p.m., eastern time (E.T.), Monday through Friday, except Federal holidays.

SUPPLEMENTARY INFORMATION:

Electronic Access and Filing

This document, as well as the notice of proposed rulemaking (NPRM), and all comments received may be viewed online at *www.regulations.gov* using the docket number listed above. Electronic retrieval assistance and guidelines are available on the website. It is available 24 hours each day, 365 days each year. An electronic copy of this document may also be downloaded from the Office of Federal Register's website at *www.federalregister.gov* and the U.S. Government Publishing Office's website at *www.GovInfo.gov.*

I. General Discussion

FHWA is rescinding a specific provision of its rule on Advance Construction of Federal-Aid Projects, which was originally promulgated on December 8, 1983, at 48 FR 54972, and later amended on March 30, 1990, at 55 FR 11902. This provision is part of FHWA regulations, codified at 23 CFR part 630, subpart G, that prescribe procedures for advancing the construction of Federal-aid highway projects without obligating Federal funds apportioned or allocated to the State, known as Advance Construction (AC). 23 CFR 630.701. AC is authorized under 23 U.S.C. 115. Under the statute, FHWA [1] may authorize a State to proceed with a project authorized under Title 23 of the U.S. Code without the use of Federal funds while preserving eligibility for future Federal-aid funds. After an AC project is authorized, the State may convert the project to regular Federal-aid funding provided eligible Federal funds are made available for the project. For the reasons explained below, FHWA is rescinding a specific provision of those regulations, 23 CFR 630.705(b), as FHWA has determined it is unnecessary.

On December 8, 1983, FHWA issued a regulation revising FHWA's regulations concerning AC projects that existed at the time. Among the changes made, FHWA revised 23 CFR 630.703 to state: ''Project designations [for advance construction projects] shall be the same as for regular Federal-aid projects except that until the project is converted to a regular Federal-aid project, the prefix letters 'AC' for advance construction shall be used as the first letters of each project designation.'' *See* 48 FR at 54974. In issuing this provision, the preamble only stated that ''[p]rovisions for submitting programs and making project designations for advance construction projects now comprise § 630.703.'' On March 30, 1990, FHWA revised its AC regulations, moving the contents of what was previously 23 CFR 630.703 to 23 CFR 630.705, while only noting that regular AC procedures would then be contained in 23 CFR 630.705. *See* 55 FR at 11902. Through this 1990 rule, FHWA modified 23 CFR 630.705(b) to read: ''Project numbers shall be identified by the letters 'AC' preceding the regular project number prefix.'' *See* 55 FR at 11903. This provision, 23 CFR 630.705(b), has not been changed subsequently.

The requirements in 23 CFR 630.705(b) are not required by 23 U.S.C. 115. In addition, FHWA's current process of determining which projects are advance construction projects, versus Federal-aid projects where Federal-aid funds have already been obligated, does not require the use of the prefix ''AC.'' Accordingly, FHWA is eliminating this regulatory provision.

On May 30, 2025, at 90 FR 22872, FHWA published an NPRM proposing to rescind 23 CFR 630.705(b) and sought comment on all aspects of that proposal. The FHWA did not receive any public comments on its proposal and now adopts the proposal without change.

II. Rulemaking Analyses and Notices

A. Executive Order 12866 (Regulatory Planning and Review), Executive Order 13563 (Improving Regulation and Regulatory Review), and DOT Regulatory Policies and Procedures

This rule does not meet the criteria of a ''significant regulatory action'' under Executive Order (E.O.) 12866, as amended by E.O. 14215 and E.O. 13563. Therefore, the Office of Management and Budget (OMB) has not reviewed this rule under those orders.

This rule rescinds regulations that are not in alignment with current FHWA process. For that reason, FHWA does not believe there are any costs to this rulemaking. FHWA anticipates some unquantified cost-savings associated

[1] Authority to administer 23 U.S.C. 115 is delegated to the FHWA under 49 CFR 1.85.

with the removal of unnecessary provisions from the CFR.

These changes would not adversely affect, in a material way, any sector of the economy. In addition, these changes would not interfere with any action taken or planned by another agency and would not materially alter the budgetary impact of any entitlements, grants, user fees, or loan programs. Consequently, a full regulatory evaluation is not required.

B. E.O. 14192 (Unleashing Prosperity Through Deregulation)

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

C. Regulatory Flexibility Act

Under the Regulatory Flexibility Act (5 U.S.C. 601–612) (as amended by the Small Business Regulatory Enforcement Fairness Act of 1996; 5 U.S.C. 601 *et seq.*), 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. FHWA has concluded and hereby certifies that this rule would not have a significant economic impact on a substantial number of small entities; therefore, an analysis is not included. This rule removes an outdated provision that is not consistent with current FHWA processes.

D. Unfunded Mandates Reform Act

This rule would not impose unfunded mandates as defined by the Unfunded Mandates Reform Act of 1995 (UMRA) (Pub. L. 104–4, 109 Stat. 48) for State, local and Tribal governments, or the private sector of $100 million or more in any one year. Thus, the rule is not subject to the requirements of sections 202 and 205 of the UMRA.

E. E.O. 13132 (Federalism Assessment)

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

F. Paperwork Reduction Act

In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520), an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information, unless the collection displays a currently valid OMB control number. This rule is deregulatory and so would not impose any additional information collection requirements.

G. National Environmental Policy Act

FHWA has analyzed this rule pursuant to the National Environmental Policy Act (NEPA) and has determined that it is categorically excluded under 23 CFR 771.117(c)(20), which applies to the promulgation of rules, regulations, and directives. Categorically excluded actions meet the criteria for categorical exclusions under 23 CFR 771.117(a) and normally do not require any further NEPA approvals by FHWA. This rule would rescind regulations not in accordance with current FHWA processes. FHWA does not anticipate any adverse environmental impacts from this rule, and no unusual circumstances are present under 23 CFR 771.117(b).

H. E.O. 13175 (Tribal Consultation)

E.O. 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. FHWA has assessed the impact of this rule on Indian tribes and determined that this rule would not have Tribal implications that require consultation under E.O. 13175.

I. Regulation Identifier Number

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

J. Rulemaking Summary, 5 U.S.C. 553(b)(4)

As required by 5 U.S.C. 553(b)(4), a summary of this rule can be found at *regulations.gov,* under the docket number.

List of Subjects in 23 CFR Part 630

Government contracts, Grant programs—transportation, Highway safety, Highways and roads, Reporting and recordkeeping requirements, Traffic regulations.

Issued in Washington, DC, under authority delegated in 49 CFR 1.85.

Gloria M. Shepherd,

Executive Director, Federal Highway Administration.

For the reasons stated in the preamble, FHWA amends 23 Code of Federal Regulations Part 630, as set forth below:

PART 630—PRECONSTRUCTION PROCEDURES

■ 1. The authority citation for Part 630 continues to read as follows:

Authority: 23 U.S.C. 106, 109, 112, 115, 315, 320, and 402(a); Sec. 1110, 1501, and 1503 of Pub. L. 109–59, 119 Stat. 1144; Pub. L. 105–178, 112 Stat. 193; Pub. L. 104–59, 109 Stat. 582; Pub. L. 97–424, 96 Stat. 2106; Pub. L. 90–495, 82 Stat. 828; Pub. L. 85–767, 72 Stat. 896; Pub. L. 84–627, 70 Stat. 380; 23 CFR 1.32 and 49 CFR 1.81 and 1.85, and Pub. L. 112–141, 126 Stat. 405, sections 1303 and 1405.

§ 630.705 [Amended]

■ 2. Amend § 630.705 by removing and reserving paragraph (b).

[FR Doc. 2025–16008 Filed 8–20–25; 8:45 am]

BILLING CODE 4910–22–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R10–OAR–2025–0052; FRL–12541–01–R10]

Adequacy Status of the Klamath Falls, Oregon Submitted 2006 24-Hour $PM_{2.5}$ NAAQS Redesignation Request and Maintenance Plan Budgets for Transportation Conformity Purposes

AGENCY: Environmental Protection Agency (EPA).

ACTION: Determination of adequacy.

SUMMARY: The EPA is notifying the public that we have found the motor vehicle emissions budgets for the Klamath Falls, Oregon 2006 24-hour fine particulate matter standard nonattainment area adequate for transportation conformity purposes. The budgets were submitted on August 20, 2024, as part of Oregon's Klamath Falls Redesignation Request and Maintenance

Plan. As a result of our finding, the Klamath Falls area must use these budgets for future transportation conformity determinations.

DATES: This finding is effective September 5, 2025.

FOR FURTHER INFORMATION CONTACT: Tess Bloom, 1200 6th Avenue, Suite 155, Seattle, WA 98101; *bloom.tess@epa.gov* or 206–553–6362.

SUPPLEMENTARY INFORMATION: Throughout this document, ''we'' and ''our'' refer to the EPA.

This document is an announcement of a finding that we have already made. The EPA Region 10 sent a letter to the Oregon Department of Environmental Quality on April 25, 2025 stating that the 2017 and 2037 fine particulate matter ($PM_{2.5}$) and nitrogen oxides (NO_X) motor vehicle emissions budgets in the Klamath Falls 2006 24-hour $PM_{2.5}$ national ambient air quality standards (NAAQS) nonattainment area, submitted as part of Oregon's August 20, 2024, Redesignation Request and Maintenance Plan, are adequate. The finding is available in the docket for this action and at the EPA's conformity website: *https://www.epa.gov/state-and-local-transportation/adequacy-review-state-implementation-plan-sip-submissions-conformity/*. The adequate motor vehicle emissions budgets are provided in the following table:

ADEQUATE MOTOR VEHICLE EMISSIONS BUDGETS FOR THE 24-HOUR $PM_{2.5}$ NAAQS IN THE KLAMATH FALLS NONATTAINMENT AREA FOR A TYPICAL SEASON DAY (TSD)

$PM_{2.5}$ emissions (lbs/day)		NO_X emissions (lbs/day)	
2017 Attainment year	2037 Future year	2017 Attainment year	2037 Future year
64	77	2,149	1,448

The motor vehicle emissions budgets for the 2037 future year will be 77 and 1448 lbs/day for $PM_{2.5}$ and NO_X respectively. Oregon's Klamath Falls Redesignation Request and Maintenance Plan established a safety margin for the 2037 future year motor vehicle emissions budgets along with additional margin allocated from emissions reductions from woodstoves. The safety margin was applied to the 2037 future year motor vehicle emissions budgets to account for emissions from future transportation projects. The submission establishes that 411 woodstoves were removed after 2017 from the Klamath Falls nonattainment area which led to decreases in $PM_{2.5}$ and NO_X emissions. To provide an extra safety margin for mobile vehicle emissions, a portion of the emissions that would have occurred from the 411 woodstoves that were removed was allocated to the 2037 future year motor vehicle emissions budgets.

Transportation conformity is required by Clean Air Act section 176(c). The EPA's Transportation Conformity Rule requires that transportation plans, transportation improvement programs, and projects conform to state air quality implementation plans (SIPs) and establishes the criteria and procedures for determining whether or not they do.[1] Conformity to a SIP means that transportation activities will not produce new air quality violations, worsen existing violations, or delay timely attainment of the NAAQS.

The criteria by which we determine whether a SIP's motor vehicle emission budgets are adequate for conformity purposes are outlined in 40 CFR 93.118(e)(4). We've described our process for determining the adequacy of submitted SIP budgets in our July 1, 2004 (69 FR 40004) preamble starting at page 40038 and we used the information in these resources in making our adequacy determination. Please note that an adequacy review is separate from the EPA's completeness review and should not be used to prejudge the EPA's ultimate action on the redesignation request and maintenance plan.

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

Dated: August 8, 2025.

Emma Pokon,

Regional Administrator, Region 10.

[FR Doc. 2025–15991 Filed 8–20–25; 8:45 am]

BILLING CODE 6560–50–P

[1] 40 CFR part 93, subpart A.

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R10–OAR–2025–0320; FRL–12328–01–R10]

Air Plan Approval; WA; Update to Materials Incorporated by Reference

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule; administrative change.

SUMMARY: The Environmental Protection Agency (EPA) is updating the materials that are incorporated by reference (IBR) into the Washington State Implementation Plan (SIP). The regulations affected by this update have been previously submitted by Washington and approved by the EPA. This update affects the materials that are available for public inspection at the National Archives and Records Administration (NARA) and the EPA Regional Office.

DATES: This action is effective August 21, 2025.

ADDRESSES: The SIP materials for which incorporation by reference into 40 CFR part 52 is finalized through this action are available for inspection at the following locations: Environmental Protection Agency, Region 10, 1200 Sixth Avenue, Suite 155, Seattle, WA 98101; and *www.regulations.gov.* To view the materials at the Region 10 Office, the EPA requests that you email the contact listed in the **FOR FURTHER INFORMATION CONTACT** section to schedule your inspection. The Regional Office's official hours of business are Monday through Friday 8:30 a.m. to 4:30 p.m., excluding Federal holidays.

FOR FURTHER INFORMATION CONTACT: Jeff Hunt, EPA Region 10, 1200 Sixth Avenue, Suite 155, Seattle, WA 98101, at (206) 553–0256, or *hunt.jeff@epa.gov.*

SUPPLEMENTARY INFORMATION:

I. Background

Each State has a SIP containing the control measures and strategies used to attain and maintain the national ambient air quality standards (NAAQS). The SIP is extensive, containing such elements as air pollution control regulations, emission inventories, monitoring networks, attainment demonstrations, and enforcement mechanisms.

Each State must formally adopt the control measures and strategies in the SIP after the public has had an

opportunity to comment on them and then submit the proposed SIP revisions to the EPA. Once these control measures and strategies are approved by EPA, and after notice and comment, they are incorporated into the federally approved SIP and are identified in part 52, ''Approval and Promulgation of Implementation Plans,'' of Title 40 of the Code of Federal Regulations (40 CFR part 52). The full text of the State regulation approved by the EPA is not reproduced in its entirety in 40 CFR part 52 but is ''incorporated by reference.'' This means that the EPA has approved a given State regulation or specified changes to the given regulation with a specific effective date. The public is referred to the location of the full text version should they want to know which measures are contained in a given SIP. The information provided allows the EPA and the public to monitor the extent to which a State implements a SIP to attain and maintain the NAAQS and to take enforcement action for violations of the SIP.

The SIP is a living document which the State can revise as necessary to address the unique air pollution problems in the State. Therefore, the EPA from time to time must take action on proposed revisions containing new or revised State regulations. A submission from a State can revise one or more rules in their entirety, or portions of rules. The State indicates the changes in the submission (such as by using redline/strikethrough text) and the EPA then takes action on the requested changes. The EPA establishes a docket for its actions using a unique Docket Identification Number, which is listed in each action. These dockets and the complete submission are available for viewing on *www.regulations.gov.*

On May 22, 1997 (62 FR 27968), the EPA revised the procedures for incorporating by reference, into the Code of Federal Regulations, materials approved by the EPA into each SIP. These changes revised the format for the identification of the SIP in 40 CFR part 52, streamlined the mechanisms for announcing the EPA approval of revisions to a SIP, and streamlined the mechanisms for the EPA's updating of the IBR information contained for each SIP in 40 CFR part 52. The revised procedures also called for the EPA to maintain ''SIP Compilations'' that contain the federally approved regulations and source-specific permits submitted by each State agency.

The EPA generally updates these SIP Compilations every few years. Under the revised procedures, the EPA must periodically publish an informational document in the rules section of the **Federal Register** notifying the public that updates have been made to a SIP Compilation for a particular state. The EPA began applying the 1997 revised procedures to the Washington SIP on March 20, 2013 ((78 FR 17108). The EPA subsequently published updates to the IBR materials for Washington on December 8, 2014 (79 FR 72548), April 12, 2016 (70 FR 21470), February 8, 2019 (84 FR 2738), August 3, 2021 (86 FR 41716), and August 19, 2024 (89 FR 67158).

A. Approved and Incorporated by Reference Regulatory Materials

Since the last IBR update, the EPA approved and incorporated by reference the following regulatory materials into the Washington SIP:

Table 3—Additional Regulations Approved for the Energy Facilities Site Evaluation Council (EFSEC) Jurisdiction

- Washington Administrative Code, Chapter 463–78, General and Operating Permit Regulations for Air Pollution Sources, section 78–005 (Adoption by Reference). For more information, see 89 FR 105456 (December 27, 2024).
- Washington Administrative Code, Chapter 173–400, General Regulations for Air Pollution Sources, sections 173–400–030 (Definitions), 173–400–081 (Startup and Shutdown), 173–400–082 (Alternative Emissions Limit That Exceeds an Emission Standard in the SIP), 173–400–136 (Use of Emission Reduction Credits (ERC)), and 173–400–171 (Public Notice and Opportunity for Public Comment). For more information, see 89 FR 105456 (December 27, 2024).

Table 6—Additional Regulations Approved for the Olympic Region Clean Air Agency (ORCAA) Jurisdiction

- Olympic Region Clean Air Agency Regulations, Rule 6.2 Outdoor Burning, section 6.2.7 (Recreational Burning). For more information, see 90 FR 5693 (January 17, 2025).

Table 8—Additional Regulations Approved for the Southwest Clean Air Agency (SRCAA) Jurisdiction

- Southwest Clean Air Agency Regulations, General Regulations for Air Pollution Sources, sections 400–040 (General Standards for Maximum Emissions), 400–070 (General Requirements for Certain Source Categories), 400–081 (Startup and Shutdown), and 400–107 (Excess Emissions). For more information, see 90 FR 19650 (May 9, 2025).

Table 9—Additional Regulations Approved for the Spokane Regional Clean Air Agency (SRCAA) Jurisdiction

- Spokane Regional Clean Air Agency Regulation I, sections 1.01 (Policy), 1.04 (General Definitions), 2.08 (Falsification of Statements or Documents, and Treatment of Documents), 2.13 (Federal and State Regulation Reference Date), 4.04 (Stationary Sources and Source Categories Subject to Registration), 5.02 (New Source Review—Applicability and when Required), 5.04 (Information Required), 5.05 (Public Involvement), 5.07 (Processing NOC Applications for Stationary Sources), 5.08 (Portable Sources), 5.10 (Changes to an Order of Approval or Permission to Operate), 5.13 (Order of Approval Construction Time Limits), 6.04 (Emission of Air Contaminant: Detriment to Person or Property), 8.01 (Purpose), 8.02 (Applicability), 8.03 (Definitions), 8.04 (Emission Performance Standards), 8.05 (Opacity Standards), 8.06 (Prohibited Fuel Types), 8.07 (Curtailment), 8.08 (Exemptions), 8.09 (Procedure to Geographically Limit Solid Fuel Burning Devices), and 8.10 (Restrictions on Installation of Solid Fuel Burning Devices). For more information, see 90 FR 15930 (April 16, 2025).

B. Regulatory Materials Removed From Incorporation by Reference in the SIP

Table 3—Additional Regulations Approved for the Energy Facilities Site Evaluation Council (EFSEC) Jurisdiction

- Washington Administrative Code, Chapter 173–400, General Regulations for Air Pollution Sources, sections 173–400–070 (Emission Standards for Certain Source Categories) and 173–400–107 (Excess Emissions). For more information, see 89 FR 105456 (December 27, 2024).

II. EPA Action

In this action, the EPA is providing notification of an update to the materials incorporated by reference into the Washington SIP as of June 1, 2025, and identified in 40 CFR 52.2470(c) and (d). This update includes SIP materials submitted by Washington and approved by the EPA since the last IBR update. *See* 89 FR 67158 (August 19, 2024).

III. Good Cause Exemption

The EPA has determined that this action falls under the ''good cause'' exemption in section 553(b)(3)(B) of the Administrative Procedure Act (APA) which, upon finding ''good cause,'' authorizes agencies to dispense with public participation and section 553(d)(3) which allows an agency to make an action effective immediately (thereby avoiding the 30-day delayed effective date otherwise provided for in the APA). This administrative action simply codifies provisions which are already in effect as a matter of law in Federal and approved state programs,

makes corrections and clarifying changes to the tables in the CFR, and makes ministerial changes to the prefatory heading to the tables in the CFR. Under section 553 of the APA, an agency may find good cause where procedures are ''impracticable, unnecessary, or contrary to the public interest.'' Public comment for this administrative action is ''unnecessary'' and ''contrary to the public interest'' since the codification (and corrections) only reflect existing law. Immediate notice of this action in the **Federal Register** benefits the public by providing the public notification of the updated Washington SIP Compilation and notification of corrections to the Washington ''Identification of Plan'' portion of the CFR. Further, pursuant to section 553(d)(3), making this action immediately effective benefits the public by immediately updating both the SIP Compilation and the CFR ''Identification of plan'' section (which includes table entry corrections).

IV. Incorporation by Reference

In this document, The EPA is finalizing regulatory text that includes incorporation by reference. In accordance with requirements of 1 CFR 51.5, The EPA is finalizing the incorporation by reference of regulations promulgated by Washington and local clean air agencies located in Washington, previously approved by the EPA and Federally effective before June 1, 2025, contained in 40 CFR 52.2470(c), *EPA-approved regulations* described in section I of this preamble. The EPA has made, and will continue to make, these materials generally available through *www.regulations.gov* and at the EPA Region 10 Office (please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section of this preamble for more information).

V. Statutory and Executive Order Reviews

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

- Is not a significant regulatory action subject to review by the Office of Management and Budget under Executive Order 12866 (58 FR 51735, October 4, 1993);
- Is not subject to Executive Order 14192 (90 FR 9065, February 6, 2025) because SIP actions are exempt from review under Executive Order 12866;
- Does not impose an information collection burden under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*);
- Is certified as not having a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*);
- Does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4);
- Does not have federalism implications as specified in Executive Order 13132 (64 FR 43255, August 10, 1999);
- Is not subject to Executive Order 13045 (62 FR 19885, April 23, 1997) because it approves a State program;
- Is not a significant regulatory action subject to Executive Order 13211 (66 FR 28355, May 22, 2001); and
- Is not subject to requirements of section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) because application of those requirements would be inconsistent with the Clean Air Act.

In addition, this action is not approved to apply on any Indian reservation land or in any other area where the EPA or an Indian Tribe has demonstrated that a Tribe has jurisdiction. In those areas of Indian country, the rule does not have Tribal implications and will not impose substantial direct costs on Tribal Governments or preempt Tribal law as specified by Executive Order 13175 (65 FR 67249, November 9, 2000).

The Congressional Review Act, 5 U.S.C. 801 *et seq.,* as added by the Small Business Regulatory Enforcement Fairness Act of 1996 generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. The EPA will submit a report containing this action and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of the rule in the **Federal Register**. A major rule cannot take effect until 60 days after it is published in the **Federal Register**. This action is not a ''major rule'' as defined by 5 U.S.C. 804(2).

The EPA also believes that the provisions of section 307(b)(1) of the Clean Air Act pertaining to petitions for judicial review are not applicable to this action. This is because prior EPA rulemaking actions for each individual component of the Washington SIP Compilation previously afforded interested parties the opportunity to file a petition for judicial review in the United States Court of Appeals for the appropriate circuit within 60 days of such rulemaking action. Thus, the EPA believes judicial review of this action under section 307(b)(1) is not available.

List of Subjects in 40 CFR Part 52

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

Dated: August 8, 2025.

Emma Pokon,

Regional Administrator, Region 10.

For the reasons set forth in the preamble, 40 CFR part 52 is amended as follows:

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

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

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

Subpart WW—Washington

■ 2. Amend § 52.2470 by revising paragraph (b) to read as follows:

§ 52.2470 Identification of plan.

* * * * *

(b) *Incorporation by reference.*

(1) Material listed in paragraphs (c) and (d) of this section with an EPA approval date prior to June 1, 2025, was approved for incorporation by reference by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Material is incorporated as it exists on the date of the approval and notification of any change in the material will be published in the **Federal Register**. Entries in paragraphs (c) and (d) of this section with EPA approval dates after June 1, 2025, will be incorporated by reference in the next update to the SIP compilation.

(2) EPA Region 10 certifies that the rules/regulations provided by the EPA in the SIP compilation at the addresses in paragraph (b)(3) of this section are an exact duplicate of the officially promulgated State rules/regulations

which have been approved as part of the State Implementation Plan as of the dates referenced in paragraph (b)(1).

(3) Copies of the materials incorporated by reference may be inspected at the Region 10 EPA Office at 1200 Sixth Avenue, Suite 155, Seattle, WA 98101. To obtain the material, please call (206) 553–0256. You may inspect the material with an EPA approval date prior to June 1, 2025, for Washington at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA email *fedreg.legal@nara.gov* or go to *https://www.archives.gov/federal-register/cfr/ibr-locations.html.*

* * * * *

[FR Doc. 2025–15992 Filed 8–20–25; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R09–OAR–2025–0070; FRL–12637–03–R9]

Determination of Attainment by the Attainment Date; 2008 8-Hour Ozone Standards; California; Sacramento Metro Area

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final determination.

SUMMARY: The Environmental Protection Agency (EPA) is finalizing our determination that the Sacramento Metro, California area attained the 2008 8-hour ozone national ambient air quality standards (NAAQS) by its December 31, 2024 attainment date. This determination is based on quality-assured and certified ambient air quality monitoring data from 2022 through 2024. We are also finalizing a determination that the requirement for the State to have contingency measures for reasonable further progress (RFP) and attainment for the 2008 ozone NAAQS no longer applies for this area.

DATES: This determination is effective on September 22, 2025.

ADDRESSES: The EPA has established a docket for this action under Docket ID No. EPA–R09–OAR–2025–0070. All documents in the docket are listed on the *https://www.regulations.gov* website. Although listed in the index, some information is not publicly available, *e.g.,* Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the internet and will be publicly available only in hard copy form. Publicly available docket materials are available through *https://www.regulations.gov,* or please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section for additional availability information. If you need assistance in a language other than English or if you are a person with a disability who needs a reasonable accommodation at no cost to you, please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section.

FOR FURTHER INFORMATION CONTACT: Laura Lawrence, EPA Region IX, 75 Hawthorne St., San Francisco, CA 94105; phone: (415) 972–3407; email: *lawrence.laura@epa.gov.*

SUPPLEMENTARY INFORMATION: Throughout this document, ''we,'' ''us,'' and ''our'' refer to the EPA.

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I. Summary of Proposed Action
II. Public Comments and EPA Responses
III. Final Determination
IV. Statutory and Executive Order Reviews

I. Summary of Proposed Action

On March 21, 2025, the EPA proposed to determine that the Sacramento Metro area attained the 2008 ozone national ambient air quality standards (NAAQS) by its December 31, 2024 attainment date.[1] On the same date, we issued an interim final determination to stay and defer sanctions associated with a previous disapproval of the State's submittal addressing contingency measures requirements for the Sacramento Metro area for the 2008 ozone NAAQS.[2]

As discussed in section II.A of our proposed determination, an area is considered to have attained the 2008 ozone standards if there are no violations of the standards, as determined in accordance with 40 CFR 50.15, based on three consecutive years of complete, quality-assured, and certified monitoring data. A violation of the NAAQS occurs when the ambient ozone air quality monitoring data show that the design value (*i.e.,* the 3-year average of the annual fourth-highest daily maximum 8-hour average ozone concentrations) at an ozone monitor is greater than 0.075 ppm.[3]

The EPA proposed this determination to fulfill our statutory obligation under Clean Air Act (CAA or ''Act'') section 181(b)(2) to determine whether the area attained the 2008 ozone NAAQS by its attainment date. Our proposed determination was based on complete, quality-assured and certified ozone air quality monitoring data for the 2022–2024 calendar years. A summary of the air quality monitoring data for these years is provided in Table 1.

TABLE 1—SACRAMENTO METRO AREA FOURTH HIGH 8-HOUR OZONE AVERAGE CONCENTRATIONS AND DESIGN VALUES (ppm) FOR 2022–2024

AQS site ID	Site name	4th Highest daily maximum			Design value (2022–2024)
		2022	2023	2024	
EL DORADO COUNTY					
06–017–0012	Echo Summit	0.064	0.065	NA [a]	Invalid [b]
06–017–0020	Cool	0.074	0.072	0.072	0.072
06–017–2004	Placerville—Canal Street	0.066	0.067	0.067	0.066
PLACER COUNTY					
06–061–0003	Auburn—Atwood	0.075	0.064	0.079	0.072
06–061–0004	Colfax—City Hall	0.070	0.067	0.067	0.068
06–061–0006	Roseville—N Sunrise Ave	0.070	0.077	0.077	0.074
06–061–2003	Lincoln—2885 Moore Road	0.066	0.060	0.063	0.063

[1] 90 FR 13316 (March 21, 2025).

[2] 90 FR 13288 (March 21, 2025).

[3] 40 CFR 50.15 and 40 CFR part 50, appendix P.

TABLE 1—SACRAMENTO METRO AREA FOURTH HIGH 8-HOUR OZONE AVERAGE CONCENTRATIONS AND DESIGN VALUES (ppm) FOR 2022–2024—Continued

AQS site ID	Site name	4th Highest daily maximum			Design value (2022–2024)
		2022	2023	2024	
SACRAMENTO COUNTY					
06–067–0002	North Highlands—Blackfoot Way	NA[a]	NA[a]	NA[a]	Invalid[c]
06–067–0006	Sacramento Del Paso Manor	0.070	0.077	0.080	0.075
06–067–0010	Sacramento—T Street	0.065	0.066	0.069	0.066
06–067–0011	Elk Grove—Bruceville	0.058	0.050	0.048	0.052
06–067–0012	Folsom	0.070	0.071	0.065	0.068
06–067–5003	Sloughhouse	0.074	NA[a]	NA[a]	Invalid[d]
SOLANO COUNTY					
06–095–3003	Vacaville	0.063	0.061	0.058	0.060
YOLO COUNTY					
06–113–0004	Davis—UCD Campus	0.059	0.065	0.063	0.062
06–113–1003	Woodland—Gibson Road	0.066	0.062	0.064	0.064

[a] The required annual 75 percent completeness criterion was not met, therefore the annual 4th highest daily maximum values were not provided.

[b] The invalid Echo Summit design value was a result of incomplete data capture primarily due to site access challenges for the entire month of April and part of May in the years 2022 through 2024. To resolve the access issues, CARB submitted a site closure request for the Echo Summit ozone monitor to EPA on February 10, 2025, and requested a new ozone monitor at the South Lake Tahoe—Sandy Way monitoring site, with a proposed start date of February 10, 2025. The EPA approved CARB's site closure request on April 15, 2025. See letter dated April 15, 2025, from Dena Vallano, Manager, Monitoring and Analysis Section, EPA Region IX, to Michael Miguel, Assistant Division Chief, Monitoring and Laboratory Division, CARB, dated April 15, 2025.

[c] The design value for the North Highlands—Blackfoot Way site is invalid due to missing data from August 2022 through December 2024. SMAQMD lost the lease to the North Highlands—Blackfoot Way monitoring site and were forced to shut down the monitor on August 1, 2022. SMAQMD is looking to secure a new location for the site.

[d] The Sloughhouse design value is invalid due to null coded data in AQS with poor quality assurance results from July 2023 through April 2024.

Invalid design values and annual 4th highest daily maximum values can be found in the file titled ''SFNA O3 Design Value Report 2008–2024.pdf'' that is included in the docket for this action.

Source: EPA, AQS Design Value (AMP480), Report Request ID: 2260106, February 6, 2025.

Our proposed determination includes additional information about ozone air pollution, the NAAQS, and the statutory and regulatory bases for making a determination of attainment. The proposed determination also includes information about the Sacramento Metro nonattainment area, the Tribes whose lands are located within the nonattainment area, and the ozone air quality data considered for the determination (information about the monitoring network, the data certification process, data completeness considerations and other relevant information).

In our proposed rulemaking, we also proposed to determine that, if we finalized our determination of attainment by the attainment date, then the requirement for the area to have contingency measures for failure to meet RFP and failure to attain for the 2008 ozone NAAQS would no longer apply, because contingency measures would never be needed.[4]

Concurrent with our publication of the proposed determination of attainment by the attainment date, the EPA issued an interim final determination, effective upon publication, to stay the offset sanction and to defer the highway funding sanction associated with the EPA's 2023 disapproval of the Sacramento Metro area's contingency measures submittal.[5] The interim final determination to stay and defer sanctions was based upon the proposed determination of attainment by the attainment date. Upon the effective date, this final determination of attainment by the attainment date will permanently stop the sanctions and FIP clocks triggered by the EPA's previous disapproval of the contingency measures requirements for the Sacramento Metro area, and will permanently lift the offset sanction that was previously in effect.

II. Public Comments and EPA Responses

The EPA's proposed action provided a 30-day public comment period. During this period, we received three comment letters, which are included in the docket for this action. Two comment letters are from anonymous commenters, with identical content that is not germane to this action. The third comment letter was submitted by Air Law for All on behalf of the Center for Biological Diversity (CBD). Issues raised in this comment letter are summarized with response below.

Comment 1: CBD argues that the EPA lacks authority to declare past milestones and associated RFP contingency measures moot. The commenters state that although CAA section 182(g) would have required the State to submit, and the EPA to act on, demonstrations that the area achieved necessary emissions reductions for emissions milestones in 2018 and 2021, there is no information in the record to show whether the EPA determined the area achieved the necessary emissions reductions for these milestones. According to the commenters, if the EPA previously determined that these milestones were met, then the associated RFP contingency measures would not be triggered, and mootness is irrelevant; on the other hand, they say, if the area failed to make RFP, then the contingency measures requirement should have been timely triggered.

The commenters argue that the EPA's approach is contrary to Congressional

[4] See 90 FR 13288, 13320–13321 (March 21, 2025).

[5] 90 FR 13288 (March 21, 2025).

intent. First, the commenters argue that interpretating the CAA to moot contingency measures for prior RFP milestones upon an attainment determination assumes that the EPA will illegally fail to make the required milestone determinations in a timely fashion, which they say cannot be what Congress intended. Elsewhere, the commenters argue that the fact that CAA section 182(g)'s ''explicitly excludes the milestone year on a determination of attainment,'' creates a strong inference that Congress intended prior milestones and associated contingency measure requirements to apply, and that there is therefore no ''gap'' for EPA to interpret under the now-obsolete *Chevron* doctrine, and the memorandum opinion in *Matusow* v. *Wheeler,* No. 20–72279 (9th Cir. Apr. 21, 2022) carries no weight. The commenters also assert that mootness is a judge-made doctrine, and that under long-standing legal principles, the EPA cannot be a judge in its own cause.

The commenters speculate that the EPA may have failed to make milestone determinations for Sacramento Metro and other areas because of a prior ''invalid'' agency interpretation under which milestone requirements could be satisfied by a showing that control measures were timely implemented, citing *Sierra Club* v. *EPA,* 21 F.4th 815, 823–26 (D.C. Cir. 2021).

Response: For reasons generally addressed in the proposal, we disagree with the commenter's claim that the EPA lacks authority to determine that the Sacramento Metro area will no longer need RFP contingency measures for the 2008 ozone NAAQS following our determination that the area has attained the NAAQS by the attainment date. However, we wish to clarify some features of our determination in response to these comments.

First, as a preliminary matter, we note that while the commenter refers to our conclusions regarding RFP contingency measures as a declaration that RFP contingency measures are ''moot,'' our proposed determination does not use this word. The commenter is mischaracterizing the EPA's action. We do not say, nor did we intend to imply, that the RFP contingency measures are ''moot'' in a legal sense. The EPA is not purporting to apply a judge-made doctrine as commenters suggest. Instead, the proposal explains the EPA's longstanding position, held for over 30 years,[6] that RFP contingency measures are no longer necessary following a determination of attainment by the attainment date because contingency measure requirements no longer apply:

> Therefore, if we finalize our proposed determination that the Sacramento Metro area has attained the 2008 ozone NAAQS by the attainment date, then attainment contingency measures for the 2008 ozone NAAQS would never be required to be implemented, regardless of whether the area continued to attain the NAAQS, and RFP contingency measures could not be triggered and would therefore no longer be necessary.[7]

The EPA's interpretation of the statute, as laid out in the 1995 Seitz Memo cited in the proposal, is based on the CAA's definition of ''reasonable further progress'' for the nonattainment requirements of part D.[8] CAA section 171(1) defines RFP as ''such annual incremental reductions in emissions of the relevant air pollutant as are required by this part or may reasonably be required by the Administrator for the purpose of ensuring *attainment of the applicable [NAAQS] by the applicable date.*'' (emphasis added). And as the EPA noted in the 1995 Seitz Memo, the subpart 2 requirements for RFP are varieties of the more general nonattainment RFP requirements.[9]

The Tenth Circuit has recently recognized that ''[t]he 'purpose' clause [in the CAA definition of RFP] simply explains that the emissions reductions (set either by part D or the EPA) are designed to ensure the area will eventually reach attainment.'' [10] Since the purpose of RFP is to ensure attainment by the attainment date, it stands to reason that a SIP submission seeking to codify contingency measures for failure to meet RFP serves no purpose after the area has timely attained the NAAQS. This practical concept that a certain SIP submission is no longer required is not the same as the judicial doctrine of mootness, as the commenters suggest.[11] In any case, as noted above, our proposed determination does not use this word, and we do not intend our statements regarding the need for contingency measures to convey anything specifically related to mootness.

Relatedly, commenters are incorrect when they claim, or imply, that the EPA's position is based only on a reading of CAA section 182(g); a purported ''preferred reading'' that commenters do not explain further. The EPA mentioned CAA section 182(g) one time in the proposal in conjunction with other authorities explained above, including the 1995 Seitz Memo which discusses the EPA's position in reference to the definition of RFP in CAA section 171(1). Upon reexamination in light of the comment, this short statement about CAA 182(g) in the proposal appears to be a straightforward explanation of the basic mechanics of that provision. Commenters do not specify which portion of CAA section 182(g), or which language within 182(g), they believe the EPA is misreading or misapplying. Since the comment on this point is vague, the EPA cannot provide a specific response.

As a Severe-15 nonattainment area with a December 31, 2024 attainment date, the Sacramento Metro area's RFP milestones for the 2008 ozone NAAQS occurred in the years 2017, 2020, and 2023.[12] CARB has submitted demonstrations showing that the Sacramento Metro area met both the 2020 and 2023 milestones by substantial margins, through a surplus of NO_X emissions reductions in excess of the required target levels.[13] The EPA found CARB's MCD for the 2020 milestone adequate on February 28, 2022.[14] In

[6] See, *e.g.,* Memorandum dated May 10, 1995, from John D. Seitz, Director, Office of Air Quality Planning and Standards, to EPA Regional Air Directors, Regions I through X, Subject: ''Reasonable Further Progress, Attainment Demonstration, and Related Requirements for Ozone Nonattainment Areas Meeting the Ozone National Ambient Air Quality Standard'' (''1995 Seitz Memo'').

[7] 90 FR 13316, 13321 (March 21, 2025) (citing 1995 Seitz Memo at p. 4).

[8] 1995 Seitz Memo at p. 2.

[9] Seitz Memo at p. 2, n.1.

[10] *Ctr. for Biological Diversity* v. *EPA,* 129 F.4th 1266, 1271 (10th Cir. 2025) (quoting CAA section 171(1)).

[11] Cf. *Friends of the Earth, Inc.* v. *Laidlaw Envtl. Servs. (TOC), Inc.,* 528 U.S. 167, 189 (2000) (discussing mootness doctrine).

[12] The commenters reference milestones in 2018 and 2021. In the context of the comment, it appears that the commenters may have calculated the milestones from an RFP baseline year of 2012, which is the year the area was designated as nonattainment for the 2008 ozone NAAQS. For the 2008 ozone NAAQS, the RFP baseline year is the calendar year for the most recently available triennial emission inventory at the time RFP plans are developed, which for areas designated as nonattainment in 2012 translates to 2011. 80 FR 12264, 12272 (March 6, 2015). See *South Coast Air Quality Mgmt. Dist.* v. *EPA,* 882 F.3d 1138 (D.C. Cir. 2018) (disallowing use of alternative RFP baseline years).

[13] CARB, ''California 2020 Milestone Compliance Demonstration for the 75 Parts per Billion National Ambient Air Quality Standard for Ozone,'' March 30, 2021, p. 15 (showing 45.6 percent reduction in NO_X emissions between 2011 and 2020, compared to the 27 percent reductions of VOC or NO_X required for that period); CARB, ''California 2023 Milestone Compliance Demonstration for the 75 Parts Per Billion and 70 Parts Per Billion 8-hour Ozone National Ambient Air Quality Standards,'' March 30, 2024, pp. 20–21 (showing 56 percent reduction in NO_X emissions between 2011 and 2023, compared to the 36 percent reductions of VOC or NO_X required for that period).

[14] Letter dated February 28, 2022, from Martha Guzman, Regional Administrator, EPA Region IX, to Richard W. Corey, Executive Officer, CARB.

response to this comment, the EPA has reviewed the State's 2023 MCD and preliminarily agrees with the State's demonstration that the area met the 2023 milestone, and we plan to issue an adequacy determination for the 2023 milestone in the near future.

Additionally, in response to this comment, the EPA has reviewed emissions inventories for the 2017 milestone, which show the area achieving substantial early reductions to meet the milestone, consistent with the continuing progress demonstrated in the submitted MCDs. Under the 2008 ozone SIP Requirements Rule and 40 CFR 51.1110, the area was required to show an 18 percent reduction in VOC or NO_X from the 2011 baseline emissions inventory by 2017.[15] 2017 emissions data show that the area achieved a VOC reduction of 15.4 percent and a NO_X reduction of 35.8 percent, thus meeting the milestone though a surplus of NO_X emissions reductions (Table 2).

TABLE 2—SACRAMENTO METRO AREA 2017 MILESTONE EMISSIONS REDUCTIONS

	VOC	NO_X
2011 baseline emissions (tpd) [a]	111.6	107.7
2017 emissions (tpd) [b]	94.5	69.2
Reduction	15.4%	35.8%

[a] CARB, "California 2020 Milestone Compliance Demonstration for the 75 Parts per Billion National Ambient Air Quality Standard for Ozone," March 30, 2021.

[b] CARB, Staff Report, "70 ppb Ozone SIP Submittal," May 22, 2020.

Our review of emissions inventory data therefore shows the area has achieved the required reductions in each RFP milestone for the 2008 ozone NAAQS, including in 2023 (the area's last applicable milestone prior to the attainment date), and RFP contingency measures for this NAAQS would not be required to be implemented, regardless of whether the area continues to attain the NAAQS.

Next, we find the commenter's legal arguments relating to Congressional intent to be unavailing. Nothing in our proposed action or interpretation of the CAA rests on an assumption that the EPA will fail to make milestone determinations or otherwise act illegally. To reiterate, when the EPA determines that an area has timely attained a NAAQS, the area no longer needs to demonstrate RFP.[16] Similarly, the area is no longer subject to the requirements to include SIP contingency measures for RFP or attainment.[17]

Further, while we agree with the commenter that CAA section 182(g) does not require states to submit MCDs for milestones aligning with an area's attainment date when the area has timely attained, we disagree that this creates any inference that would contradict our determination. Indeed, we find this language in the Act to be supportive of the general point that the purpose of the RFP requirements is to ensure progress toward attainment by the applicable attainment date.[18] The parenthetical exclusion in CAA section 182(g)(2) stands for the idea that there is no reason to require that a state submit an MCD to show it met RFP for a milestone year if that year is also an attainment year and the area is attaining the NAAQS, because the purpose of RFP is to ensure the area attains by the applicable attainment date. If the area has met the goal of attaining, then there is no utility in checking if the milestone has been met because the purpose of the milestone is to assist with achieving attainment. By extension, since the purpose of RFP is to assist with ensuring attainment, the utility of RFP ceases upon a finding of attainment; at that point, RFP is no longer necessary because its purpose has been fulfilled. Contrary to the commenter's allegations, the EPA is not claiming that there is a statutory gap in CAA 182(g), and the EPA is in no way relying on the *Chevron* doctrine.

For the reasons above, we disagree that our proposed action exceeds the EPA's authority under the CAA.

Comment 2: CBD asserts that the EPA's position that the RFP contingency measures requirements are mooted by attainment is internally inconsistent, citing previous EPA statements suggesting that RFP requirements are independent of attainment. The commenters assert that the EPA must not finalize its purported mooting of RFP and associated contingency measures requirements, and that the EPA must lift the interim determination to stay and defer sanctions.

Response: We disagree that our action is inconsistent either internally or with past practice. The EPA has consistently held that ''progress'' in the context of RFP means progress towards attainment.[19] This position is grounded in the language of the CAA, which connects the purpose of RFP reductions to the attainment requirements. In particular, CAA section 171(1) defines ''reasonable further progress'' as:

> such annual incremental reductions in emissions of the relevant air pollutant as are required by this part or may reasonably be required by the Administrator for the purpose of ensuring attainment of the applicable national ambient air quality standard by the applicable date.[20]

Similarly, CAA section 182(b)(1)(A) specifies that attainment plans for Moderate and above areas:

> shall provide for such specific annual reductions in emissions of volatile organic compounds and oxides of nitrogen as necessary to attain the national primary ambient air quality standard for ozone by the attainment date applicable under this chapter.[21]

Further, as the commenter notes and as we explained above, CAA section 182(g) includes a specific statutory exemption from the requirement to submit an MCD. That section does not require an ozone nonattainment area classified ''Serious'' or higher to demonstrate compliance with an RFP milestone that coincides with the attainment date once the area has attained.[22] This evidences that Congress saw no point in simultaneously making an area demonstrate that it had met its

[15] See 80 FR 12264, 12271 (March 6, 2015) and 40 CFR 51.1110(a)(2)(i)(A) (describing 2008 ozone NAAQS requirements for Moderate and above nonattainment areas with a previously approved 15 percent VOC-only rate-of-progress (ROP) demonstration for a previous ozone NAAQS). The EPA approved the Sacramento Metro area's ROP demonstration for the 1997 ozone standard. 80 FR 4795, 4798 (January 29, 2015).

[16] See 57 FR 13498, 13564 (April 16, 1992) (noting that RFP requirements do not apply in evaluating a request for redesignation to attainment ''since, at a minimum, the air quality data for the area must show that the area has already attained. Showing that the State will make RFP towards attainment will, therefore, have no meaning at that point.'').

[17] See id. (''The section 172(c)(9) requirements for contingency measures are directed at ensuring RFP and attainment by the applicable date. These requirements no longer apply when an area has attained the standard and is eligible for redesignation.'').

[18] See 87 FR 42126, 42131 (July 14, 2022).

[19] See, *e.g.,* 80 FR 12264, 12776 (March 6, 2015) (noting that ''the purpose of the RFP provisions in CAA sections 172 and 182 is to foster the achievement of reasonable further progress toward attainment''). As we have previously explained in response to other comments from the same commenter, the RFP reductions for the 2008 ozone NAAQS represent the minimum progress that is required under the CAA and our regulations, not necessarily all of the reductions necessary to achieve attainment of the ozone NAAQS, which could vary largely from one nonattainment area to another. See 86 FR 33528, 33531 (June 25, 2021). See also *Ctr. for Biological Diversity* v. *EPA,* 129 F.4th 1266 at 1270–1272 (10th Cir. 2025), which recently upheld the EPA's position that while the purpose of RFP for ozone nonattainment areas is to ''ensure the area will eventually reach attainment'' RFP reductions ''need not alone achieve attainment.'' RFP for ozone is a fixed percentage defined in the CAA.

[20] CAA section 171(1).

[21] CAA section 182(b)(1)(A)(i). See also CAA section 182(c)(2)(B) (specifying that RFP reductions are required ''until the attainment date'').

[22] CAA 182(g)(2).

RFP milestone if it could instead show that it had attained the NAAQS. Once an area has satisfied its RFP requirements, RFP contingency measures cannot be triggered and are therefore no longer necessary.

Our action follows several similar actions for Phoenix, Ventura County, and Western Nevada County nonattainment areas.[23] In each, we found that our determination of attainment by the attainment date eliminated the area's need for the RFP contingency measures for the 2008 ozone NAAQS. We therefore disagree that our action is inconsistent with past practice. The commenter appears to be mixing concepts in a confusing manner, as evidenced by reference to a June 2021 EPA action.[24] Within that action, the EPA explained its current position that the amount of reductions necessary for an approvable ozone RFP SIP revision (an RFP plan showing how the area plans to meet RFP) is set by the CAA in a way that is not related to the amount of reductions necessarily needed for the area to attain the NAAQS by the attainment date. In that action, the EPA explained ''[i]n the 2008 Ozone [SIP Requirements Rule], which is the set of regulations that governs the EPA's action here, RFP is defined in terms of percent reduction requirements, not in terms of the reductions necessary for attainment.'' [25] This position, which was recently upheld in *Ctr. for Biological Diversity* v. *EPA,* 129 F.4th 1266 (10th Cir. 2025), speaks to what states must show in their RFP SIP submission on the front end of the planning process.

Commenters are wrong to suggest this position related to the amount of reductions needed in an RFP plan is somehow inconsistent with the EPA's present determination in this action. The EPA's position is consistent. ''[R]easonable further progress and attainment are two interconnected—but distinct—requirements.'' [26] The purpose of RFP is to help with getting the area into attainment, and for ozone reduction planning purposes, the CAA defines RFP as fixed emissions reductions percentages. Once the area has attained, RFP no longer applies because the purpose of RFP has been fulfilled. The commenter is confusing the purpose of RFP with the amount of reductions necessary to show in an RFP plan.

For the reasons discussed above, we disagree that it is inappropriate to finalize our proposed determination that contingency measures for RFP are no longer required upon a determination of attainment by the attainment date. We also disagree that it is inappropriate to relieve the sanctions associated with our previous disapproval of contingency measures for RFP and attainment for the Sacramento Metro area.[27] As noted in our interim final determination to stay and defer sanctions, a final determination of attainment that the Sacramento Metro area has attained the 2008 ozone NAAQS means that the associated attainment and RFP contingency measures are no longer required. Further, it makes no sense and does not serve the public to apply sanctions associated with a requirement that no longer applies. Accordingly, the EPA is determining that the area is no longer subject to the contingency measures requirements that were the basis for our previous disapproval action, and we are permanently removing the sanctions triggered by that previous action.

III. Final Determination

Pursuant to section 181(b)(2)(A) of the CAA and 40 CFR 51.1303, the EPA is making a final determination that the Sacramento Metro area attained the 2008 ozone NAAQS by the applicable attainment date of December 31, 2025. Once effective, this final action satisfies the EPA's obligation pursuant to CAA section 181(b)(2)(A) to determine, based on an area's air quality as of the attainment date, whether the area attained the standard by its applicable attainment date.

We are also making a final determination that the requirement for the Sacramento Metro area to have contingency measures for failure to meet RFP and failure to attain the 2008 ozone NAAQS by the attainment date no longer applies, because contingency measures cannot be triggered given the attainment of the NAAQS by the attainment date. This finding will not prevent the EPA, in the event that the Sacramento Metro area subsequently violates the NAAQS, from exercising its authority under the CAA to address violations of the NAAQS.[28] Our proposed rulemaking has more information about our rationale for this action.

This attainment determination permanently stops the sanctions and FIP clocks triggered by the EPA's previous disapproval of the contingency measures requirement for the Sacramento Metro area, and permanently lifts the offset sanction that had previously been imposed. The offset sanction had previously been stayed and the highway funding sanction had previously been deferred by our interim final determination to stay and defer sanctions.

This determination of attainment does not constitute a redesignation to attainment under CAA section 107(d)(3). The EPA may redesignate an area if the state meets additional statutory criteria, including the EPA approval of a state plan demonstrating maintenance of the air quality standard for 10 years after redesignation, as required under CAA section 175A. As for all NAAQS, the EPA is committed to working with states that choose to submit redesignation requests for areas that are attaining the 2008 ozone NAAQS.

IV. Statutory and Executive Order Reviews

This action:

- Is not a significant regulatory action subject to review by the Office of Management and Budget under Executive Order 12866 (58 FR 51735, October 4, 1993);
- Is not subject to Executive Order 14192 (90 FR 9065, February 6, 2025) because SIP actions are exempt from review under Executive Order 12866;
- Does not impose an information collection burden under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*);
- Is certified as not having a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*);
- Does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4);
- Does not have federalism implications as specified in Executive Order 13132 (64 FR 43255, August 10, 1999);
- Is not an economically significant regulatory action based on health or safety risks subject to Executive Order 13045 (62 FR 19885, April 23, 1997);
- Is not a significant regulatory action subject to Executive Order 13211 (66 FR 28355, May 22, 2001); and

[23] The rationale is articulated for the Phoenix area at 85 FR 33571, 33574 (June 2, 2020); for the Ventura and Western Nevada County areas at 87 FR 42126, 42131 (July 14, 2022); and for the Sacramento Metro area at 90 FR 13316, 13321 (March 21, 2025).

[24] 86 FR 33528 (June 25, 2021).

[25] Id. at 33531.

[26] *Ctr. for Biological Diversity* v. *EPA,* 129 F.4th 1266, 1272 (10th Cir. 2025).

[27] Sanction clocks were started pursuant to 40 CFR 52.31(c)(2) by the EPA's June 15, 2023 final disapproval action at 88 FR 39179, and codified at 40 CFR 52.237(a)(14).

[28] See *Bahr* v. *Regan,* 6 F.4th 1059, 1085 (9th Cir. 2021); see also 42 U.S.C. 7407(d)(3).

• Is not subject to requirements of Section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) because application of those requirements would be inconsistent with the Clean Air Act.

Additionally, this rule does not have Tribal implications as specified by Executive Order 13175 (65 FR 67249, November 9, 2000) because it will not impose substantial direct costs on Tribal governments or preempt Tribal law. The EPA has identified Tribal areas within the Sacramento Metro nonattainment area. We note that this determination applies throughout the nonattainment area, including on Tribal lands within the nonattainment areas. However, as noted in our proposal and in section III of this document, the Sacramento Metro nonattainment area, including the Tribal lands within the nonattainment area, will remain designated nonattainment and will retain its existing classification.

The EPA notified the Tribes located within the boundaries of the Sacramento Metro nonattainment areas of our proposed determination and will notify these Tribes of this final determination. Because a final determination of attainment does not change the Tribe's existing nonattainment designation or classification, the EPA does not plan offer government-to-government consultation on this determination, however, it is our practice to initiate government-to-government consultation at the request of any Tribe.

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

Under section 307(b)(1) of the Clean Air Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by October 20, 2025. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this action for the purposes of judicial review nor does it extend the time within which a petition for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. This action may not be challenged later in proceedings to enforce its requirements. (See section 307(b)(2).)

List of Subjects in 40 CFR Part 52

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

Dated: August 11, 2025.

Joshua F.W. Cook,

Regional Administrator, Region IX.

For the reasons stated in the preamble, part 52, chapter I, title 40 of the Code of Federal Regulations is amended as follows:

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

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

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

Subpart F—California

■ 2. Section 52.282 is amended by adding paragraph (o) to read as follows:

§ 52.282 Control strategy and regulations: Ozone.

* * * * *

(o) *Determination of attainment by the attainment date.* Effective September 22, 2025. The EPA has determined that the Sacramento Metro Severe–15 nonattainment area in California attained the 2008 ozone National Ambient Air Quality Standards (NAAQS) by the applicable attainment date of December 31, 2024, based upon complete, quality-assured and certified data for the calendar years 2022–2024.

[FR Doc. 2025–15990 Filed 8–20–25; 8:45 am]

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DEPARTMENT OF HEALTH AND HUMAN SERVICES

Office of the Secretary

45 CFR Part 162

[CMS–0056–IFR]

RIN 0938–AU19

Administrative Simplification: Modifications of Health Insurance Portability and Accountability Act of 1996 (HIPAA), National Council for Prescription Drug Programs (NCPDP) Retail Pharmacy Standards; and Modification of the Medicaid Pharmacy Subrogation Standard; Updates to Compliance and Other Related Dates

AGENCY: Office of the Secretary, Department of Health and Human Services (HHS).

ACTION: Interim final rule.

SUMMARY: This document updates compliance and other dates presented in the final rule that appeared in the December 13, 2024 **Federal Register** titled ''Administrative Simplification: Modifications of Health Insurance Portability and Accountability Act of 1996 (HIPAA) National Council for Prescription Drug Programs (NCPDP) Retail Pharmacy Standards; and Modification of the Medicaid Pharmacy Subrogation Standard'' to conform with the subsequent final rule that appeared in the February 11, 2025 **Federal Register**.

DATES: These regulations are effective August 20, 2025.

FOR FURTHER INFORMATION CONTACT: Michael Cimmino (410) 786–6408.

SUPPLEMENTARY INFORMATION:

I. Background

We published a final rule that appeared in the December 13, 2024, **Federal Register** (89 FR 100763) titled ''Administrative Simplification: Modifications of Health Insurance Portability and Accountability Act of 1996 (HIPAA) National Council for Prescription Drug Programs (NCPDP) Retail Pharmacy Standards; and Modification of the Medicaid Pharmacy Subrogation Standard,'' (hereinafter referred to as the December 2024 final rule). That final rule adopted updated versions of the retail pharmacy standards for electronic transactions adopted under the Administrative Simplification subtitle of the Health Insurance Portability and Accountability Act of 1996 (HIPAA). These updated versions are modifications to previously adopted standards for the following retail pharmacy transactions: health care claims or equivalent encounter information; eligibility for a health plan; referral certification and authorization; and coordination of benefits. This final rule also adopted a modification to the standard for the Medicaid pharmacy subrogation transaction. Subsequently, we determined this final rule contained a technical error regarding the 8-month transition period before full compliance with retail pharmacy and Medicaid pharmacy subrogation standards, so references to August 11, 2027, should have, instead, read June 11, 2027. We published a subsequent final rule that appeared in the February 11, 2025, **Federal Register** (90 FR 9289) titled Administrative Simplification: Modifications of Health Insurance Portability and Accountability Act of 1996 (HIPAA) National Council for Prescription Drug Programs (NCPDP) Retail Pharmacy Standards; and Modification of the Medicaid Pharmacy Subrogation Standard; Delay of Effective Date, (hereinafter referred to as the

February 2025 final rule). That final rule delayed by 60 days the effective date of the December 2024 final rule, to April 14, 2025, which delay was necessary to give agency officials the opportunity to further review and consider the new regulation, consistent with the January 20, 2025, Presidential memorandum titled ''Regulatory Freeze Pending Review.'' This final rule also mentioned the technical date error that appeared in the December 2024 final rule.

The February 2025 final rule (90 FR 9290) acknowledged the impact of this delayed effective date on compliance and transition periods for covered entities and state Medicaid agencies. The December 2024 final rule initially specified a compliance date 36 months after its effective date, with an 8-month transition starting 28 months after the effective date and running to the compliance date. The February 2025 final rule altered the effective date to April 14, 2025, resulting in a new compliance date of April 14, 2028, with the 8-month transition period running from August 14, 2027, to April 14, 2028.

II. Provisions of the Interim Final Rule

This interim final rule (IFR) updates compliance and other dates in the preamble and regulations text of the December 2024 final rule in accordance with the delay of effective date changes finalized in the February 2025 final rule. As a result of the changes published in the February 2025 final rule, the following provisions of the December 2024 final rule are updated as follows:

- The **DATES** section of the December 2024 final rule:

++ *Effective Date:* April 14, 2025.

++ *Compliance Date:* April 14, 2028.

- Summary of effective and compliance dates (section I.C. of the December 2024 final rule):

++ Beginning August 14, 2027, all covered entities, as agreed to by trading partners, may use either Version D.0 and Version 1.2, or Version F6 and Version 15, for 8 months as a transition period prior to full compliance, which begins 36 months after the effective date of the February 2025 final rule.

++ All covered entities must be in compliance with Version F6 and Version 15 beginning April 14, 2028.

++ Beginning August 14, 2027, state Medicaid agencies, as agreed to by trading partners, may use Version 3.0 or Version 10 for 8 months as a transition period prior to full compliance, which begins 36 months after the effective date of the February 2025 final rule.

++ State Medicaid agencies must be in compliance with Version 10 beginning April 14, 2028.

- Compliance Date for Version F6 and Version 15 (section III.C.1. of the December 2024 final rule)—The final transition and compliance dates for Version F6 and Version 15 at §§ 162.1102, 162.1202, 162.1302 and 162.1802:

++ All covered entities may, as agreed to by trading partners, use either Version D.0 and Version 1.2, or Version F6 and Version 15, beginning August 14, 2027.

++ All covered entities must comply with only Version F6 and Version 15 beginning April 14, 2028.

- Compliance Date for Version 10 (section III.C.2. of the December 2024 final rule)—At § 162.1902, we are finalizing the compliance date for Version 10 as beginning April 14, 2028, which aligns with the timeline we are adopting for Version F6 and Version 15. In addition, at § 162.1902, we are finalizing that, beginning August 14, 2027, which is 8 months before the compliance date, state Medicaid agencies may, as agreed to by trading partners, use either Version 3.0 or Version 10 for Medicaid pharmacy subrogation transactions.

- Regulations text of the December 2024 final rule. In the regulations text of this interim final rule, §§ 1162.1102, 162.1202, 162.1302, 162.1802, and 162.1902 are revised to reflect the transition and compliance dates (August 14, 2027 and April 14, 2028, respectively) noted previously.

III. Waiver of Proposed Rulemaking and Delay in Effective Date

Under 5 U.S.C. 553(b) and (c) of the Administrative Procedure Act (APA), the agency is required to publish a notice of the proposed rulemaking in the **Federal Register**, provide interested parties an opportunity to comment or otherwise participate in the rulemaking process, and consider this input prior to finalization. Exceptions to these requirements are available under section 553(b)(A) and (B) of the APA when a rule is interpretative, a general statement of policy, or concerns agency organization, procedure or practice; or when the agency for good cause finds that notice and comment are impracticable, unnecessary, or contrary to public interest. In addition, section 553(d) of the APA requires a 30-day delay in effective date after issuance or publication of a rule, with exceptions available under sections 553(d)(1) through (d)(3) of the APA that allow the agency to proceed without the required 30-day delay in effective date where: a rule grants an exemption or relieves a restriction; a rule is an interpretative rule or statement of policy; or, otherwise provided by the agency for good cause with a statement published with the rule.

This interim final rule does not constitute a rule that would be subject to notice and comment. However, to the extent that 5 U.S.C. 553 applies to this action, it is exempt from its requirements because it constitutes a general statement of policy under 5 U.S.C. 553(b)(A). As described previously, the February 2025 final rule's delay in the effective date was intended to give agency officials the opportunity to further review and consider the December 2024 final rule. Here, we simply state the new compliance and other related dates for the requirements previously finalized in the December 2024 final rule that arose pursuant to the February 2025 final rule's delay of the effective date.[1] This document does not change any of the requirements previously finalized in the December 2024 final rule, which was the product of notice and comment rulemaking. The compliance date and transition period start date for the December 2024 final rule requirements remain unchanged at, respectively, 36 months and 28 months from the effective date of the rule; this document states those dates taking into account the delay in the effective date published in the February 2025 final rule.

Moreover, even if this were a rule to which the notice and comment procedures and delayed effective date requirements applied, we find that there is good cause to waive such requirements. Undertaking further notice and comment procedures just to incorporate the updated dates in this document, or further delaying the effective date, would be contrary to the public interest, as covered entities have requested that the updated dates be published in a timely manner in order to reduce confusion among the industry regarding the actual compliance and transition period dates. Additional notice and comment procedures and further delay in the effective date of this interim final rule are unnecessary as we are not altering our policies, but, rather, simply stating the updated compliance and other dates that had previously been proposed and subjected to notice and comment, and then finalized in the December 2024 final rule. We find that, should the notice, comment, and effective date requirements have been

[1] As we noted in the February 2025 final rule at 90 FR 5290, the December 2024 final rule, in the regulations text, contained a technical error pertaining to the 8-month transition period (erroneously allowing just a 6-month period), so references to August 11, 2027 should have read June 11, 2027.

applicable, we have good cause to waive these requirements because they are unnecessary and contrary to the public interest.

IV. Collection of Information Requirements

This document does not impose new information collection requirements, that is, reporting, recordkeeping or third-party disclosure requirements. Consequently, there is no need for review by the Office of Management and Budget under the authority of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

The requirements and burdens associated with the information collection requirements contained and were finalized in the December 2024 final rule. Therefore, the one-time burden was previously approved and accounted for in the information collection request previously approved under OMB control number 0938–0866 and titled ''CMS–R–218: HIPAA Standards for Coding Electronic Transactions.''

OMB has determined that the establishment of standards for electronic transactions under HIPAA (which mandate that the private sector disclose information and do so in a particular format) constitutes an agency-sponsored third-party disclosure as defined under the Paperwork Reduction Act (PRA, 44 U.S.C. 3501 *et seq.*) (see 65 FR 50350 (August 17, 2000)). OMB's previous determination for electronic transaction standards under HIPAA obviates the need for further OMB review under the PRA. This document merely finalizes updates in the compliance and other dates for requirements previously finalized in the December 2024 final rule to conform with the delayed effective date published in the February 11, 2025, final rule, and, therefore does not implicate the PRA.

Should our assumptions be incorrect, this information collection request will be revised and reinstated to incorporate any additional transaction standards and modifications to transaction standards that were previously covered in the PRA package associated with OMB approval number 0938–0866.

V. Regulatory Impact Statement

A. Statement of Need

As discussed in more detail in section II. of this interim final rule, consistent with the Presidential memorandum of January 20, 2025, ''Regulatory Freeze Pending Review,'' we delayed for 60 days the effective date of the December 2024 final rule to provide the Administration sufficient time to review any questions of fact, law, and policy. This interim final rule updates compliance and other dates in the preamble and regulations text of the December 2024 final rule in accordance with the delay of effective date changes finalized in the February 2025 final rule.[2]

B. Overall Impact

We have examined the impacts of this rule as required by Executive Order 12866, ''Regulatory Planning and Review''; Executive Order 13563, ''Improving Regulation and Regulatory Review''; Executive Order 14192, ''Unleashing Prosperity Through Deregulation''; the Regulatory Flexibility Act (Pub. L. 96 354); section 1102(b) of the Social Security Act; section 202 of the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4); Executive Order 13132, ''Federalism''; and the Congressional Review Act (5 U.S.C. 804(2)).

Executive Orders 12866 and 13563 direct agencies to assess all costs and benefits of available regulatory alternatives and, if necessary, to select regulatory approaches that maximize net benefits (including potential economic, environmental, public health and safety effects, and other advantages, and distributive impacts). Section 3(f) of Executive Order 12866 defines a ''significant regulatory action'' as an action that is likely to result in a rule that may: (1) have an annual effect on the economy of $200 million or more in any one year, or adversely affect in a material way the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or tribal governments or communities; (2) create a serious inconsistency or otherwise interfere with an action taken or planned by another agency; (3) materially alter the budgetary impacts of entitlement grants, user fees, or loan programs or the rights and obligations of recipients thereof; or (4) raise novel legal or policy issues for arising out of legal mandates, or the President's priorities.

This interim final rule is not a significant regulatory action under section 3(f) of Executive Order 12866. The temporary delay in the effective date until April 14, 2025, published in the February 2025 final rule (90 FR 9290), was necessary to give agency officials the opportunity for further review and consideration of the new regulation, consistent with the memorandum described previously. We estimate this temporary delay in the effective date could result in annualized net cost savings for the industry of approximately $992,500 and $1.04 million at the 7 percent and 3 percent discount rates, respectively. Additional details regarding the economic impacts can be found in the regulatory impact analysis in section VI. of the December 2024 final rule (89 FR 100773 through 100787).

C. Regulatory Flexibility Act Analysis (RFA)

The RFA requires agencies to analyze options for regulatory relief of small entities, if a rule has a significant impact on a substantial number of small entities. For purposes of the RFA, small entities include small businesses, nonprofit organizations, and small governmental jurisdictions. Individuals and states are not included in the definition of a small entity.

As stated earlier, this interim final rule updates compliance and other dates in the preamble and regulations text of the December 2024 final rule in accordance with the 60-day delay of effective date changes finalized in the February 2025 final rule. The temporary delay in the effective date until April 14, 2025, published in the February 2025 final rule (90 FR 9290), was necessary to give agency officials the opportunity for further review and consideration of the new regulation, consistent with the memorandum described previously. As a result, the Secretary has certified that this interim final rule will not have a significant impact on a substantial number of small entities.

In addition, section 1102(b) of the Act requires us to prepare a regulatory impact analysis if a rule may have significant impact on the operations of a substantial number of small rural hospitals. This analysis must conform to the provisions of section 604 of the RFA. For the purposes of section 1102(b) of the Act, we define a small rural hospital as a hospital that is located outside of a metropolitan statistical area and has fewer than 100 beds. This interim final rule will not significantly impact the operations of a substantial number of small rural hospitals, as these entities are not involved in the exchange of retail pharmacy transactions. Therefore, the Secretary has certified that this interim final rule will not have a significant impact on the operations of a substantial number of small rural hospitals.

[2] *See* footnote 1; this interim final rule specifies the correct transition dates, accounting for the delayed effective date, and corrects the technical error in their calculation in the December 2024 final rule regulations text that erroneously provided a 6-, not 8-, month transition period.

D. Unfunded Mandates Reform Act of 1995

Section 202 of the Unfunded Mandates Reform Act of 1995 also requires that agencies assess anticipated costs and benefits before issuing any rule whose mandates would require spending more in any 1 year than threshold amounts in 1995 dollars, updated annually for inflation. In 2025, that threshold is approximately $187 million. This interim final rule does not contain mandates that will impose spending costs on State, local, or tribal governments in the aggregate, or by the private sector, of more than $187 million in any 1 year.

E. Federalism

Executive Order 13132 establishes certain requirements that an agency must meet when it promulgates a proposed rule (and subsequent final rule) that imposes substantial direct requirement costs on State and local governments, preempts State law, or otherwise has Federalism implications. This interim final rule will not impose substantial direct requirement costs on State and local governments, preempt State law, or otherwise have Federalism implications.

F. Executive Order 14192

Executive Order 14192, titled ''Unleashing Prosperity Through Deregulation,'' was issued on January 31, 2025, and requires that ''any new incremental costs associated with new regulations shall, to the extent permitted by law, be offset by the elimination of existing costs associated with at least 10 prior regulations.'' This interim final rule is expected to be an E.O. 14192 deregulatory action. We estimate that this interim final rule would generate $992,500 in annualized cost savings at a 7 percent discount rate, discounted relative to the year 2024, over a perpetual time horizon.

List of Subjects in 45 CFR Part 162

Administrative practice and procedures, Electronic transactions, Health facilities, Health insurance, Hospitals, Incorporation by reference, Medicaid, Medicare, Reporting and recordkeeping requirements.

For the reasons set forth in the preamble, the Department of Health and Human Services amends 45 CFR part 162 as set forth below:

PART 162—ADMINISTRATIVE REQUIREMENTS

■ 1. The authority citation for part 162 continues to read as follows:

Authority: 42 U.S.C. 1320d—1320d–9 and secs. 1104 and 10109 of Pub. L. 111–148, 124 Stat. 146–154 and 915–917.

§ 162.1102 [Amended]

■ 2. Section 162.1102 is amended by:
■ a. In paragraph (c), removing the date ''August 11, 2027,'' and adding in its place the date ''August 14, 2027,'';
■ b. In paragraph (d), removing the date ''August 11, 2027,'' and adding in its place the date ''August 14, 2027,'';
■ c. In paragraph (e) introductory text, removing the dates ''August 11, 2027 through February 11, 2028,'' and adding in its place the dates ''August 14, 2027 through April 14, 2028,''; and
■ d. In paragraph (f), removing the date ''February 11, 2028'' and adding in its place the date ''April 14, 2028,''.

§ 162.1202 [Amended]

■ 3. Section 162.1202 is amended by:
■ a. In paragraph (c), removing the date ''August 11, 2027,'' and adding in its place the date ''August 14, 2027,'';
■ b. In paragraph (d) introductory text, removing the dates ''August 11, 2027 through February 11, 2028,'' and adding in its place the dates ''August 14, 2027 through April 14, 2028,''; and
■ c. In paragraph (e), removing the date ''February 11, 2028'' and adding in its place the date ''April 14, 2028,''.

§ 162.1302 [Amended]

■ 4. Section 162.1302 is amended by:
■ a. In paragraph (c), removing the date ''August 11, 2027,'' and adding in its place the date ''August 14, 2027,'';
■ b. In paragraph (d), removing the date ''August 11, 2027,'' and adding in its place the date ''August 14, 2027,'';
■ c. In paragraph (e) introductory text, removing the dates ''August 11, 2027 through February 11, 2028,'' and adding in its place the dates ''August 14, 2027 through April 14, 2028,''; and
■ d. In paragraph (f), removing the date ''February 11, 2028'' and adding in its place the date ''April 14, 2028,''.

§ 162.1802 [Amended]

■ 5. Amend § 162.1802 by:
■ a. In paragraph (c), removing the date ''August 11, 2027,'' and adding in its place the date ''August 14, 2027,'';
■ b. In paragraph (d), removing the date ''August 11, 2027,'' and adding in its place the date ''August 14, 2027,'';
■ c. In paragraph (e) introductory text, removing the dates ''August 11, 2027 through February 11, 2028,'' and adding in its place the dates ''August 14, 2027 through April 14, 2028,'';
■ d. In paragraph (f), removing the date ''February 11, 2028'' and adding in its place the date ''April 14, 2028,''.

§ 162.1902 [Amended]

■ 6. Amend § 162.1902 by:
■ a. In paragraph (a), removing the date ''August 11, 2027—'' and adding in its place the date ''August 14, 2027—'';
■ b. In paragraph (b) introductory text, removing the dates ''August 11, 2027 through February 11, 2028—'' and adding in its place the dates ''August 14, 2027 through April 14, 2028—''; and
■ c. In paragraph (c), removing the date ''February 11, 2028'' and adding in its place the date ''April 14, 2028''.

Robert F. Kennedy, Jr.,

Secretary, Department of Health and Human Services.

[FR Doc. 2025–15958 Filed 8–20–25; 8:45 am]

BILLING CODE 4120–01–P

DEPARTMENT OF TRANSPORTATION

Pipeline and Hazardous Materials Safety Administration

49 CFR Parts 191, 192, and 195

[Docket No. PHMSA–2020–0013; Amdt. Nos. 191–37, 192–156, 195–117]

RIN 2137–AF48

Pipeline Safety: Periodic Standards Update II

AGENCY: Pipeline and Hazardous Materials Safety Administration (PHMSA), Department of Transportation (DOT).

ACTION: Final rule.

SUMMARY: PHMSA is amending the Federal pipeline safety regulations to incorporate by reference all or parts of 19 updated industry standards. PHMSA is also clarifying certain regulatory provisions and making several editorial corrections.

DATES: The effective date of this final rule is January 10, 2026. The incorporation by reference of certain publications listed in the rule is approved by the Director of the Federal Register as of January 10, 2026.

FOR FURTHER INFORMATION CONTACT:

Technical Information: Rod Seeley by phone at 281–513–1741 or by email at *Rodrick.M.Seeley@dot.gov*.

Regulatory Information: Brianna Wilson by phone at 771–215–0969 or by email at *Brianna.Wilson@dot.gov.*

SUPPLEMENTARY INFORMATION:

I. Background
II. Notice of Proposed Rulemaking
III. Pipeline Advisory Committee Meetings
IV. Summary of Comments, GPAC/LPAC Discussion, and PHMSA Response
V. Summary of Final Rule
VI. Regulatory Analyses and Notices

I. Background

A. Purpose of This Rule

This final rule incorporates by reference 19 updated voluntary, consensus industry technical standards within the pipeline safety regulations (PSR, 49 Code of Federal Regulation (CFR) parts 190–199). The incorporation of these updated standards will maintain or improve public safety, prevent regulatory confusion, and reduce compliance burdens consistent with the requirements in the National Technology Transfer and Advancement Act (NTTAA) of 1995 (15 United States Code (U.S.C.) 272 (note)).

PHMSA incorporates more than 80 industry standards by reference into the PSRs. By updating these references on a periodic basis, PHMSA encourages innovation and technological development and reduces unnecessary compliance burdens.

PHMSA has determined that the updated standards adopted in this final rule will either maintain or enhance the protection of public safety. PHMSA has further concluded that the adoption of these standards is technically feasible, reasonable, cost-effective, and practicable, and that it produces benefits that justify any associated compliance costs.

B. History of Incorporation by Reference

The Office of Management and Budget (OMB) sets the policy for Federal use and development of voluntary, consensus industry technical standards in OMB Circular A–119 (''Federal Participation in the Development and Use of Voluntary Consensus Standards and in Conformity Assessment Activities'').[1] Material that is incorporated by reference (IBR) is treated as if it is published in full in the **Federal Register** and the PSRs. Therefore, like any other rule issued in the **Federal Register**, a voluntary, consensus industry technical standard that has been incorporated by reference has the full force and effect of the law. As specified in 1 CFR 51.1(c), the Director of the Federal Register has the authority to determine whether material that is proposed for IBR serves the public interest. If a provision of an incorporated standard conflicts with a regulation, the regulation takes precedence unless the regulation expressly provides otherwise.

PHMSA has incorporated more than 80 industry standards by reference into the PSRs. The lists of publications incorporated into parts 191 (which regulates reporting), 192 (which regulates the transportation of gas by pipeline) and 195 (which regulates the transportation of hazardous liquids and carbon dioxide by pipeline) are found in §§ 192.7 and 195.3, respectively. Previous rules that incorporated updated industry standards by reference were published on May 24, 1996 (61 FR 26121); February 17, 1998 (63 FR 7721); June 14, 2004 (69 FR 32886); June 9, 2006 (71 FR 33402); February 1, 2007 (72 FR 4655 (correction)); August 11, 2010 (75 FR 48593); January 5, 2015 (80 FR 168); August 6, 2015 (80 FR 46847 (correction)), and April 29, 2024 (89 FR 33264).

The industry standards that are incorporated within the PSRs are developed or adopted by domestic and international standard-development organizations (SDOs). Approximately every two to five years, these organizations use agreed-upon procedures to update and revise their published standards to reflect the latest developments in technology, testing, and operational practices. New or updated industry standards often incorporate new technologies, materials, management practices, and other innovations that can improve the physical integrity, and the safe operation of pipeline facilities.

PHMSA employees participate in meetings held by 25 domestic SDOs that address the design, construction, maintenance, inspection, operation, and repair of pipeline facilities. PHMSA's subject-matter experts represent PHMSA in all dealings with the SDOs; participate in discussions and technical debates; register opinions; and vote in accordance with the procedures of the SDOs at each stage of the standards-development process (unless prohibited from doing so by law). PHMSA participates in this process to ensure its safety priorities are considered, and to avoid the need to develop separate, government-unique standards.

PHMSA also regularly reviews updated editions of currently referenced industry standards and amends the PSR to incorporate partially or fully updated standards. These updates ensure that the PSRs incorporate and facilitate the use of the latest technologies, materials, management and operational practices, testing, and other innovations. The adoption of more recent editions of industry standards also prevents conflicts between the standards referenced in the PSRs and updated versions of the same standards with which operators and suppliers may voluntarily comply, thereby (1) avoiding the confusion and expense associated with ensuring compliance with competing versions of the same standard; and (2) improving compliance and allowing the allocation of more operator resources toward safety. PHMSA reviewed the updated standards discussed in this final rule and finds them appropriate for IBR within the PSR.

C. Availability of Materials to Interested Parties

Pursuant to section 24 of the Pipeline Safety, Regulatory Certainty, and Job Creation Act of 2011 (Pub. L. 112–90, 49 U.S.C. 60102(p), as amended), ''the Secretary may not issue a regulation pursuant to this chapter that incorporates any documents or portions thereof unless the documents or portions thereof are made available to the public, free of charge.'' Most of the updated standards incorporated by reference in this final rule can be viewed online for free.

The standards incorporated by reference in this final rule are reasonably available to interested parties in several ways. First, PHMSA has negotiated agreements to make viewable copies of the standards available to the public at no cost with all but two of the SDOs whose updated standards are incorporated by reference in this final rule. The organizations that agreed to the public access requirements of the statutory mandate discussed above are: the American Petroleum Institute (API), the American Gas Association (AGA), ASTM International (formerly the American Society for Testing and Materials), the Gas Technology Institute (GTI), the Manufacturers Standardization Society of the Valve and Fittings Industry, Inc. (MSS), the Association for Materials Protection and Performance (AMPP) (formerly NACE International), the National Fire Protection Association (NFPA), and the Plastics Pipe Institute (PPI).[2] The standards can be accessed through the websites listed below.

The API standards identified in Section V.A. are available from the following website: *https://publications.api.org/IBR-Documents-Under-Consideration.aspx.*

The ASTM standards identified in Section V.E. are available from the following website: *https://www.astm.org/products-services/reading-room.html.*

[1] OMB, Circular No. A–119 (Feb. 10, 1998), available at: *https://www.whitehouse.gov/wp-content/uploads/2017/11/Circular-119-1.pdf.*

[2] ASTM updates some of its more widely used standards every year, and sometimes SDOs publish multiple editions of a standard in a given year. NACE International and the Society for Protective Coatings merged to form AMPP, which is why NACE standards are listed under AMPP.

The AMPP: NACE standards identified in Section V.D. are available from the following website: *https://ibr.ansi.org/Standards/nace.aspx.*

Finally, the NFPA standard identified in Section V.F. is available from the following website: *https://www.nfpa.org/Codes-and-Standards/All-Codes-and-Standards/List-of-Codes-and-Standards.*

As of the date of publication of this final rule, PHMSA was not able to reach a general agreement with the American Society of Mechanical Engineers (ASME) to make the standards readily available online as ASME heavily relies on the revenue the standards generate.[3] PHMSA was also unable to reach a general agreement with The American Society for Nondestructive Testing (ASNT). Individuals and organizations may access the ASME and ASNT standards incorporated by reference in this final rule, as well as any other standard in this final rule that is not otherwise available from the relevant SDO, by contacting the PHMSA standards library at the following email address: *phmsaphpstandards@dot.gov.* Such requests should include a phone number, physical address, and an email address.

Finally, the material can also reasonably be obtained by interested parties through the applicable publisher contact information listed §§ 192.7 and 195.3 of the amendatory text in this document. Additional information regarding standards availability can be found at *https://www.phmsa.dot.gov/standards-rulemaking/pipeline/standards-incorporated-reference.*

II. Notice of Proposed Rulemaking

On August 29, 2022, PHMSA published a notice of proposed rulemaking (NPRM) to incorporate by reference all or parts of more than 20 updated industry standards and to make editorial corrections to certain regulations.[4] With respect to each proposed industry standard the NPRM (1) described the provisions within the PSR in which it is incorporated by reference; (2) described how each such standard contributed to pipeline safety; and (3) described if the standard was an update to a standard that was previously incorporated by reference into the PSR, any material changes between the previous version of that industry standard, and the updated version proposed for incorporation in the PSR. PHMSA requested comment from the public, state pipeline safety regulators, and other stakeholders, and considered on those comments in developing this final rule.

III. Pipeline Advisory Committee Meetings

On January 16, 2025, PHMSA discussed the NPRM with the Technical Pipeline Safety Standards Committee (TPSSC) (also known as the Gas Pipeline Advisory Committee (GPAC)), and the Technical Hazardous Liquid Pipeline Safety Standards Committee (THLPSSC) (also known as the Liquid Pipeline Advisory Committee (LPAC)). The GPAC and LPAC are statutorily mandated Federal advisory committees that, respectively, advise PHMSA on proposed safety standards for gas and hazardous liquid and carbon dioxide pipeline facilities and any associated risk assessments.[5] The GPAC and LPAC are comprised of equal representation from the government, industry, and the general public. The members of both committees assessed all standards proposed for incorporation in the NPRM and provided recommendations that PHMSA considered adopting this final rule.

A transcript of the GPAC and LPAC meeting and all presented materials is available both in the docket for the rulemaking and on the web page that PHMSA created for the meeting.[6] Additional information regarding the GPAC and LPAC recommendations on the NPRM may be found in section IV below.

IV. Summary of Comments, GPAC/LPAC Discussion, and PHMSA Response

PHMSA received nine comments on the NPRM from the following individuals and organizations: the American Fuel & Petrochemical Manufacturers (AFPM), Association for Materials Protection & Performance (AMPP), the American Petroleum Institute (API), an anonymous commenter, David Rudolph, Dresser Utility Solutions, Joe Schmo, a joint comment from ''the Associations'' (Interstate Natural Gas Association of America (INGAA), American Gas Association (AGA), American Public Gas Association (APGA), API, GPA Midstream Association, and Plastic Pipe Institute (PPI)), and National Fire Protection Association (NFPA).

PHMSA below discusses comments received from stakeholders (in written comments or during the GPAC/LPAC meeting) on a handful of specific industry standards and editorial and technical corrections proposed by the NPRM for incorporation in the PSRs. In addition to discussing those specific comments, PHMSA incorporates by reference within this final rule its discussion of the proposals in the NPRM—including but not limited to, its description in the NPRM of the content of any updated standards and corrections, and the safety benefits anticipated from those amendments.

A. Stakeholder Comments and GPAC/LPAC Discussion

PHMSA received comments that generally were supportive of the proposals in the NPRM. API questioned PHMSA's failure to include the adoption of API Recommended Practice (RP) 1162, Public Awareness Programs for Pipeline Operators, Third Edition, in the NPRM. At the joint GPAC/LPAC meeting, an LPAC industry committee member also asked PHMSA to consider incorporating API RP 1162 by reference. A public PAC member took the opposite view and expressed support for PHMSA's decision to not incorporate the newer edition of that standard. PHMSA will consider action on this RP in a future rulemaking.

Both the GPAC and LPAC discussions and voting broadly were supportive of the proposed amendments in the NPRM. The GPAC unanimously voted to endorse each of the proposed IBR updates and miscellaneous amendments within parts 191 and 192 as ''technically feasible, reasonable, cost-effective, and practicable''. The GPAC also called on PHMSA to continue to work towards an agreement with ASME to make its

[3] GPAC/LPAC meeting discussions routinely raise concerns regarding the availability of ASME standards. *See, e.g.,* Joint Gas and Liquid Pipeline Advisory Committee Meeting Transcript, Docket No. PHMSA–2021–0069–0005 at 86:2–11, (Oct. 21, 2021) (Joint GPAC/LPAC Transcript). The committees have recommended repeatedly that PHMSA work with the pipeline advisory committees and other pipeline safety representatives to establish an agreement with ASME and ASNT to provide viewable copies of the standards incorporated by reference in the PSR permanently available on the internet for free to the general public. PHMSA has attempted to do so without success to date.

[4] PHMSA, ''Pipeline Safety: Periodic Standards Update II,'' 87 FR 52713 (Aug. 29, 2022) (NPRM).

[5] PHMSA established these committees in accordance with FACA (5 U.S.C. App. 2, as amended) and its implementing regulations: 41 CFR parts 101–6, Department of Transportation (DOT) Order 1120.3C, and 49 U.S.C. 60115. The committees consist of 15 members with membership evenly distributed between Federal and State governments, the regulated industry, and the general public. The committees advise PHMSA on the technical feasibility, reasonableness, cost-effectiveness, and practicability of proposed pipeline safety standards.

[6] PHMSA, ''Gas Pipeline Advisory Committee (GPAC) and Liquid Pipeline Advisory Committee (LPAC) Meeting Transcript'' (Jan. 16, 2025), *https://primis-meetings.phmsa.dot.gov/meetings/8e15d35d-aa51-4d3b-b469-69cf858aa097.*

standards available for free on the internet to the public.

The LPAC voted to endorse, with only two dissenting votes, the proposed IBR updates and miscellaneous amendments to part 195 as ''technically feasible, reasonable, cost-effective, and practicable.'' Two public committee members explained those dissenting votes by referring to concerns about the public availability of ASME standards, rather than by offering substantive objections to the proposals in the NPRM. Like the GPAC, these two members called on PHMSA to continue actively to pursue an agreement with ASME because of the importance of transparency between governing bodies and the general public. PHMSA will continue to work with ASME to reach an agreement for standards availability.

At the joint PAC meeting, a GPAC industry committee member encouraged PHMSA to consider an alternative effective date for standards update rulemakings, proposing January 1 as an implementation date or an alternative timeframe that allows operators adequate time to adjust their training and procedures. An LPAC industry member also suggested that PHMSA solicit comments from operators to gather input on time expectations for the implementation of standards. PHMSA agrees with these concerns and has set January 10, 2026, as the effective and compliance dates in the final rule to allow operators adequate implementation time.

B. API 1104

API 1104 is a welding standard that PHMSA incorporates by reference within the PSRs. PHMSA currently incorporates the 21st edition of API 1104. In the NPRM, PHMSA stated that incorporating the 22nd edition, which published in July 2021 and includes extensive changes and expanded requirements compared to its predecessors, would require additional resources and training for industry. PHMSA requested comments from stakeholders regarding the use of the 22nd edition of API 1104: Welding Pipelines and Related Facilities to develop welding procedures, as well as comments regarding implementation of the 22nd edition from the perspective of welders, welding inspectors, and engineers. PHMSA also solicited comments on any potential issues that could result from incorporating the 22nd edition. Finally, PHMSA requested comments regarding the potential incorporation of Section 10 of the 22nd edition of API Std 1104 and its impact on the PSRs; in particular, on §§ 192.245 and 195.230.

PHMSA received a comment from the Associations expressing support for the currently incorporated by reference 21st edition of API 1104 and raising concerns with incorporating sections 5, 6 and 10 of the 22nd edition.[7] The Associations suggested that PHMSA assess potential impacts prior to proceeding with incorporating the 22nd edition.

During the GPAC and LPAC discussions, committee members expressed general support for the incorporation of API 1104, 22nd edition and encouraged PHMSA to update the standard in a future standards rulemaking. An LPAC public member cautioned that all updates are not necessarily improvements, noting existing issues with the 20th edition of API 1104. PHMSA will determine whether to incorporate the 22nd edition of API 1104 in the future after further review.

C. NFPA 30

NFPA 30 in an industry safety standard addressing the storage, handling, and use of flammable or combustible liquids, including waste liquids. In the NPRM, PHMSA proposed to update the edition of NFPA 30 that is incorporated by reference into the PSRs from the 2012 to the 2021 version. NFPA submitted comments in response to the NPRM, suggesting that PHMSA use the spelling of ''ignitible'' instead of ''ignitable'' and clarifying that NFPA did not revise its classification scheme (Class IA, IB, IC, II, IIIA, and IIIB) in the 2021 edition of NFPA 30 but, rather, made a nomenclature revision.[8] NFPA provided language to clarify its nomenclature revision of replacing ''combustible liquid'' and ''flammable liquid'' with ''ignitible (flammable and combustible) liquid''. PHMSA appreciates NFPA's clarifications and will consider whether to address those concerns in implementing guidance or a future rulemaking.

D. ASTM F1948

ASTM F1948 specifies requirements and test methods for the qualification of metallic mechanical fittings designed for use with outside-diameter-controlled thermoplastic gas distribution pipe and tubing. In the NPRM, PHMSA proposed to update the currently incorporated by reference version of ASTM F1948 from the 2012 to the 2020 edition. Dresser Pipeline Solutions (Dresser) submitted a comment in response to the NPRM and suggested that PHMSA delay the proposed update to allow ASTM to address Dresser's concerns with implementing the testing protocols in the 2020 edition.[9] PHMSA appreciates Dresser's comments but does not intend to delay the update of ASTM F1948 as it understands Dresser's concern to be one that operators can navigate without great difficulty.

V. Summary of Final Rule

This final rule incorporates the following updated industry standards and amendments into the 49 CFR parts 192 and 195. Availability information for each standard is specified in Section I of this preamble, and a summary of each standard is detailed below and in Section II of the NPRM.

A. American Petroleum Institute

1. API Recommended Practice (RP) 652, ''Linings of Aboveground Petroleum Storage Tank Bottoms,'' 5th edition, May 2020.

API RP 652 provides acceptable methods for controlling corrosion in aboveground petroleum storage tanks with tank-bottom linings. It also contains information pertinent to lining application, surface preparation, curing, the selection of lining materials, and the inspection of tank-bottom linings for new and existing storage tanks.

[Replaces incorporated by reference (IBR): API Recommended Practice 652, Linings of Aboveground Petroleum Storage Tank Bottoms, 3rd Edition, October 2005; Referenced in 49 CFR 195.579(d)]

2. API RP 2003, ''Protection Against Ignitions Arising out of Static, Lightning, and Stray Currents,'' 8th Edition, September 2015, reaffirmed March 2020.

API RP 2003 reflects the current state of technology and knowledge (based on experimentation and practical experience) applicable to the prevention of hydrocarbon ignition in petroleum industry applications due to static electricity, lightning, and stray currents. The use of the principles in this RP should lead to improved safety practices and evaluations of existing installations and procedures.

[Replaces API RP 2003, ''Protection against Ignitions Arising out of Static, Lightning, and Stray Currents,'' 7th Edition, January 2008; Referenced in 49 CFR 195.405(a).]

3. API Specification (Spec) 12F, ''Specification for Shop-welded Tanks

[7] Interstate Natural Gas Association, et al., Doc. No. PHMSA–2020–0013–0008, ''Comments in Response to Periodic Standards Update II Notice'' at 2–4 (Oct. 28, 2022).

[8] NFPA, Doc. No. PHMSA–2020–0013–0005, ''Comments in Docket number PHMSA–2023–0013'' (Oct. 19, 2022).

[9] Dresser, Doc. No. PHMSA–2020–0013–0007, ''Comments in Docket number PHMSA–2023–0013'' (Oct. 28, 2022).

for Storage of Production Liquids,'' 13th Edition, January 2019.

API Spec 12F outlines design, fabrication, materials, and testing requirements for new, shop-fabricated, vertical, cylindrical, aboveground, welded-steel storage tanks that are designed according to the standard sizes and capacities for approximately atmospheric internal pressures. This specification is designed to provide the oil production industry with tanks for the storage of crude petroleum and other liquids.

[Replaces API Spec 12F, ''Specification for Shop Welded Tanks for Storage of Production Liquids,'' 12th Edition, October 2008, effective April 1, 2009; Referenced in 49 CFR 195.132(b), 195.205(b), 195.264(b), 195.264(e), 195.307(a), 195.565, 195.579(d).]

4. API 510, ''Pressure Vessel Inspection Code: In-service Inspection, Rating, Repair, and Alteration,'' 10th Edition, May 2014, including Addendum 1 (May 2017).

API 510 presents the current state of knowledge and technology applicable to the in-service alteration, inspection, repair, and rerating of steel pressure vessels, as well as the pressure-relieving devices that protect these vessels. This standard applies to all hydrocarbon and chemical process vessels.

[[Replaces API Std 510, ''Pressure Vessel Inspection Code: In-Service Inspection, Rating, Repair, and Alteration,'' 9th Edition, June 2006; Referenced in 49 CFR 195.205(b) and 195.432(c).]

5. API Standard (Std) 2510, ''Design and Construction of LPG Installations,'' 9th Edition, August 2020.

API Std 2510 presents the current state of knowledge and technology applicable to the design or construction of facilities that handle or store liquefied petroleum gas at marine or pipeline terminals, natural gas processing plants, petrochemical plants, refineries, and tank farms. This standard applies to storage vessels, loading and unloading systems, and piping.

[Replaces existing references to API Std 2510, ''Design and Construction of LPG Installations,'' 8th Edition, 2001; Referenced in 49 CFR 195.132(b); 195.205(b); 195.264(b), (e); 195.307(e); 195.428(c); and 195.432(c).]

B. American Society of Mechanical Engineers

1. ASME B16.40–2019, ''Manually Operated Thermoplastic Gas Shutoffs and Valves in Gas Distribution Systems,'' issued February 11, 2019.

ASME B16.40–2019 reflects the current state of knowledge and technology applicable to manually operated thermoplastic valves in nominal valve sizes of half an inch through 12 inches in diameter that are intended for use below the ground in thermoplastic fuel-gas distribution mains and service lines. The standard also sets qualification requirements for each basic valve design, as well as for newly manufactured valves.

[Replaces ASME B16.40–2008, ''Manually Operated Thermoplastic Gas Shutoffs and Valves in Gas Distribution Systems,'' March 18, 2008, approved by ANSI; Referenced in Section I of appendix B to Part 192].

2. ASME B31.4–2019, ''Pipeline Transportation Systems for Liquids and Slurries: ASME Code for Pressure Piping, B31,'' issued November 1, 2019.

ASME B31.4–2019 outlines requirements for liquid pipeline systems, liquid-transporting pipelines, and non-hazardous aqueous-slurry-transporting pipelines. This standard also outlines requirements for design, materials, construction, assembly, inspection, testing, operation, and maintenance.

[Replaces ASME B31.4–2006, ''Pipeline Transportation Systems for Liquid Hydrocarbons and Other Liquids,'' October 20, 2006; Referenced in 49 CFR 195.110(a).]

C. The American Society for Nondestructive Testing

1. ANSI/ASNT ILI–PQ–2017, ''In-line Inspection Personnel Qualification and Certification,'' 2017 Edition, approved December 12, 2017.

ANSI/ASNT ILI–PQ–2017 applies the current state of data and technology to the qualification and certification of in-line inspection (ILI) personnel whose jobs require specific knowledge of the technical principles of ILI technologies, operations, regulatory requirements, and industry standards that are applicable to pipeline systems.

[Replaces ANSI/ASNT ILI–PQ–2005(2010), ''In-line Inspection Personnel Qualification and Certification,'' Reapproved October 11, 2010; Referenced in 49 CFR 192.493 and 195.591.]

D. The Association for Materials Protection and Performance

1. ANSI/NACE SP0502–2010, Pipeline External Corrosion Direct Assessment Methodology, revised June 24, 2010.

ANSI/NACE SP0502–2010 covers the AMPP external corrosion direct assessment process for buried onshore ferrous pipeline systems. The standard serves as a guide for applying this process on pipeline systems.

2. NACE SP0102–2017, ''In-Line Inspection of Pipelines,'' March 10, 2017.

NACE SP0102–2017 is applicable to ILI of carbon-steel pipeline systems that are constructed of Grade B or greater material and are used to transport natural gas and hazardous liquids, including anhydrous ammonia, carbon dioxide, water (including brine), liquefied-petroleum gases, and other fluids that are not detrimental to the function or stability of ILI tools. NACE SP0102–2017 states that it applies the most current data and technology to carbon steel pipeline systems that transport hazardous liquids and/or natural gas in the vicinity of a right-of-way.

[Replaces NACE Standard Practice 0102–2010, ''In-Line Inspection of Pipelines,'' revised March 13, 2010; References 192.150(a); 192.493; 195.120; and 195.591.]

E. ASTM International

1. ASTM A372/A372M–20e1, ''Standard Specification for Carbon and Alloy Steel Forgings for Thin-Walled Pressure Vessels,'' approved March 1, 2020.

ASTM A372/A372M–20e1 presents the current state of knowledge and technology regarding the manufacture of relatively thin-walled forgings—including gas bottles—for use in pressure vessels. This specification covers carbon and alloy steel forgings.

[Replaces ASTM A372/A372M–10, ''Standard Specification for Carbon and Alloy Steel Forgings for Thin-Walled Pressure Vessels,'' approved October 1, 2010; References 49 CFR 192.177(b).]

2. ASTM A672/A672M–19, ''Standard Specification for Electric-Fusion-Welded Steel Pipe for High-Pressure Service at Moderate Temperatures,'' approved November 1, 2019.

ASTM A672/A672M–19 presents the current state of knowledge and technology regarding the manufacture of electric-fusion-welded pipe for use at moderate temperatures, including all temperatures for pipelines regulated by 49 CFR parts 192 and 195.

[Replaces ASTM A672/A672M–09, ''Standard Specification for Electric-Fusion-Welded Steel Pipe for High-Pressure Service at Moderate Temperatures,'' approved October 1, 2009; References 49 CFR 192.113 and 195.106(e) and appendix B to part 192.]

3. ASTM D2513–20, ''Standard Specification for Polyethylene (PE) Gas Pressure Pipe, Tubing, and Fittings,'' approved December 1, 2020.

ASTM D2513–20 presents the current state of knowledge and technology applicable to PE pipe, tubing, and

fittings used for fuel gas pipelines, including pipe that is used to distribute natural gas.

[Replaces ASTM D2513–18a, ''Standard Specification for Polyethylene (PE) Gas Pressure Pipe, Tubing, and Fittings,'' approved August 1, 2018; References appendix B to part 192.]

4. ASTM D2564–20, ''Standard Specification for Solvent Cements for Poly (Vinyl Chloride) (PVC) Plastic Piping Systems,'' approved August 1, 2020.

ASTM D2564–20 presents the current requirements for solvent cements that are used to join PVC piping systems. It addresses the requirements in Specification D1784 regarding PVC pipe that was created from compounds and includes Practice D2855's procedure for joining PVC fittings and pipe.

[Replaces ASTM D2564–12, ''Standard Specification for Solvent Cements for Poly (Vinyl Chloride) (PVC) Plastic Piping Systems,'' August 1, 2012; References 49 CFR 192.281(b)(2).]

5. ASTM F1055–16a, ''Standard Specification for Electrofusion Type Polyethylene Fittings for Outside Diameter Controlled Polyethylene and Crosslinked Polyethylene (PEX) Pipe and Tubing,'' approved November 15, 2016.

ASTM F1055–16a presents the current state of knowledge and technology applicable to the use of electrofusion PE fittings with outside-diameter-controlled PE and PEX pipe. The standard also includes requirements for materials, workmanship, and performance testing of pertinent plastic piping.

[Replaces ASTM F1055–98 (Reapproved 2006), ''Standard Specification for Electrofusion Type Polyethylene Fittings for Outside Diameter Controlled Polyethylene Pipe and Tubing,'' March 1, 2006; References 49 CFR 192.283(a) and appendix B to part 192.]

6. ASTM F1924–19, ''Standard Specification for Plastic Mechanical Fittings for Use on Outside Diameter Controlled Polyethylene Gas Distribution Pipe and Tubing,'' approved August 1, 2019.

ASTM F1924–19 presents the current state of knowledge and technology applicable to requirements and test methods for the qualification of plastic-bodied mechanical fittings for use with outside-diameter-controlled PE gas-distribution pipe that is nominal 2 IPS and smaller and that complies with Specification ASTM D2513. The standard also specifies general requirements for the material from which such fittings are made.

[Replaces ASTM F1924–12, ''Standard Specification for Plastic Mechanical Fittings for Use on Outside Diameter Controlled Polyethylene Gas Distribution Pipe and Tubing,'' April 1, 2012; References appendix B to part 192.]

7. ASTM F1948–20, ''Standard Specification for Metallic Mechanical Fittings for Use on Outside Diameter Controlled Thermoplastic Gas Distribution Pipe and Tubing,'' approved February 1, 2020.

ASTM F1948–20 presents the current requirements and test methods for the qualification of metallic mechanical fittings that are designed to be used with outside-diameter-controlled thermoplastic gas distribution pipe and tubing, as specified in Specification D2513, F2785, or F2945.

[Replaces ASTM F1948–12, ''Standard Specification for Metallic Mechanical Fittings for Use on Outside Diameter Controlled Thermoplastic Gas Distribution Pipe and Tubing,'' April 1, 2012; appendix B in part 192.]

8. ASTM F2620–20ae2, ''Standard Practice for Heat Fusion Joining of Polyethylene Pipe and Fittings,'' approved December 1, 2020.

ASTM F2620–20ae2 presents the current state of knowledge and technology applicable to creating joints via heat-fusion joining of PE pipe and fittings in a variety of environments, including in the field.

[Replaces ASTM F2620–19, ''Standard Practice for Heat Fusion Joining of Polyethylene Pipe and Fittings,'' approved February 1, 2019; References 49 CFR 192.281(c) and 192.285(b).]

9. ASTM F2785–21, ''Standard Specification for Polyamide 12 Gas Pressure Pipe, Tubing, and Fittings,'' approved July 1, 2021.

ASTM F2785–21 presents the current requirements and test methods for the characterization of PA12 pipe, tubing, and fittings for use in fuel gas mains and services for direct burial and re-liner applications. This standard is intended for the distribution of natural gas.

[Replaces ASTM F2785–12, ''Standard Specification for Polyamide 12 Gas Pressure Pipe, Tubing, and Fittings,'' August 1, 2012; References appendix B to part 192.]

F. The National Fire Protection Association

1. NFPA 30, ''Flammable and Combustible Liquids Code,'' 2021 Edition, effective August 31, 2020.

NFPA 30 applies to the safe storage, handling, and use of flammable and combustible liquids.

[Replaces NFPA–30 (2012), ''Flammable and Combustible Liquids Code,'' 2012 Edition (June 20, 2011), Including Errata 30–12–1 (September 27, 2011) and Errata 30–12–2 (November 14, 2011); References 49 CFR 192.735(b) and 195.264(b).]

The final rule will not, however, update the following standards as proposed in the NPRM. PHMSA intends to update these standards in one or more separate rulemakings:

1. ASTM A578/A578M–17, ''Standard Specification for Straight-Beam Ultrasonic Examination of Rolled Steel Plates for Special Applications,'' November 1, 2017.

2. ASTM F1973–13(2018), ''Standard Specification for Factory Assembled Anodeless Risers and Transition Fittings in Polyethylene (PE) and Polyamide 11 (PA11) and Polyamide 12 (PA12) Fuel Gas Distribution Systems,'' February 1, 2018.

3. ASTM F2145–13(2018): Standard Specification for Polyamide 11 (PA 11) and Polyamide 12 (PA12) Mechanical Fittings for Use on Outside Diameter Controlled Polyamide 11 and Polyamide 12 Pipe and Tubing,'' February 1, 2018.

4. ASTM F2600–09(2018), ''Standard Specification for Electrofusion Type Polyamide-11 Fittings for Outside Diameter Controlled Polyamide-11 Pipe and Tubing,'' February 1, 2018.

5. ASTM F2767–18, ''Standard Specification for Electrofusion Type Polyamide-12 Fittings for Outside Diameter Controlled Polyamide-12 Pipe and Tubing for Gas Distribution,'' April 1, 2018.

6. ASTM F2817–13(2019), ''Standard Specification for Poly (Vinyl Chloride) (PVC) Gas Pressure Pipe and Fittings for Maintenance or Repair,'' May 1, 2019.

7. ASTM F2945–18, ''Standard Specification for Polyamide 11 Gas Pressure Pipe, Tubing, and Fittings,'' September 1, 2018.

8. PPI T R 3/2021, ''Policies and Procedures for Developing Hydrostatic Design Basis (HDB), Hydrostatic Design Stresses (HDS), Pressure Design Basis (PDB), Strength Design Basis (SDB), Minimum Required Strength (MRS) Ratings, and Categorized Required Strength (CRS) for Thermoplastic Piping Materials or Pipe,'' June 16, 2021.

9. PPI T R 4/2021, ''PPI HSB Listing of Hydrostatic Design Basis (HDB), Hydrostatic Design Stress (HDS), Strength Design Basis (SDB), Pressure Design Basis (PDB) and Minimum Required Strength (MRS) Ratings For Thermoplastic Piping Materials or Pipe,'' June 16, 2021.

H. Miscellaneous Amendments

This final rule makes several miscellaneous editorial amendments and corrections to the PSRs. Some of these revisions include the removal of ASTM D638–03, Standard Test Method for Tensile Properties of Plastics from current § 192.7(e)(10), an action that should have occurred due to other changes made by the Plastic Pipe Rule (83 FR 58694), which published on November 20, 2018. The standard is no longer referenced in § 192.283(a)–(b) because of changes in the Plastic Pipe Rule that altered the language to read ''in accordance with a listed specification,'' which refers to Section I.A. and I.B. of appendix B to part 192. Additional standards are now incorporated for different material types, such as ASTM F2945 for PA11 and ASTM F2785 for PA12. ASTM D638 is a referenced document within both those standards and ASTM D2513 for PE. Therefore, ASTM D638 no longer needs to be directly incorporated by reference into § 192.7. Section 192.7(e)(10) (or, more precisely, § 192.7(f)(10) as revised by this final rule) will be reserved.

In addition, PHMSA is revising § 191.9: Distribution system: Incident report. Currently, § 191.9(a) references Department of Transportation Form RSPA F 7100.1, which is the previous version of the form. PHMSA is changing this reference to Department of Transportation Form PHMSA F 7100.1. PHMSA is also removing references to specific editions of the standards in this rule throughout parts 192 and 195, except in §§ 192.7 and 195.3. To determine the edition of the standard that is incorporated by reference, operators would refer to §§ 192.7 and 195.3. PHMSA already directs operators to these sections with the following language, which is used throughout parts 192 and 195 whenever a standard is referenced: ''(incorporated by reference, see § 192.7)'' or ''(incorporated by reference, see § 195.3).'' Failure to reference these sections may not serve as the basis for a request for leniency in an enforcement case. PHMSA plans to remove references to other specific editions of standards from parts 192 and 195 in future rules. Removing extraneous references to edition numbers will increase administrative efficiency and reduce regulatory uncertainty that could result from inadvertently referencing outdated editions of standards. These amendments simplify both future standards update rules and the PSRs.

Further, PHMSA is revising the definition of a moderate consequence area in § 192.3 to replace the reference to a Federal Highway Administration (FHWA) document, ''Highway Functional Classifications Concepts, Criteria and Procedures.'' PHMSA is also adding a new appendix, appendix G, to part 192, to provide the guidance on moderate consequence areas that currently is provided by the FHWA's ''Highway Functional Classifications Concepts, Criteria and Procedures'' document. The new appendix G includes guidance relevant to the terms ''Designated Interstate,'' ''Freeway,'' ''Expressway,'' and ''Principal Arterial Roadway,'' which appear in the definition of a moderate consequence area. The appendix repeats the information from the FHWA's document verbatim. PHMSA is not making any substantive change to the definition of a moderate consequence area.

PHMSA has decided to not move forward with the editorial change to remove the word ''telephonic'' from § 191.5(c). The National Response Center (NRC) no longer accepts electronic submission, so the amendment is unnecessary.

Finally, PHMSA is incorporating a number of other minor updates and changes, including:

- Amending § 191.22(c)(1)(i) to change ''of'' to ''or'' in the following phrase: ''Construction of any planned rehabilitation,'' to rectify a typographical error;
- Correcting the reference in § 192.327(g) from § 192.612(b)(3) to § 192.612(c)(3);
- Adding § 192.620(d) to the list of reference locations for NACE SP0502, which currently is listed in § 192.7(h)(4) and will be listed in § 192.7(e)(1) as revised by this final rule;
- Amending § 192.620(d)(7)(ii) to reference ''NACE SP0502'' instead of ''NACE RP–0502–2002;''
- Amending the address in § 192.18(a)(2) to read: ''ATTN: Information Resources Manager, Office of Pipeline Safety, Pipeline and Hazardous Materials Safety Administration, PHF–30, 1200 New Jersey Avenue SE, Washington, DC 20590;''
- Amending appendix B to part 192 to remove version numbers from the referenced standards;
- Amending appendix B to part 192 to standardize the structure of the references; and
- Amending § 195.54 to add DOT Form 7000–2.

VI. Regulatory Analyses and Notices

A. Legal Authority for This Rulemaking

This final rule is published under the authority of the Secretary of Transportation delegated to the PHMSA Administrator pursuant to 49 CFR 1.97. Among the statutory authorities delegated to PHMSA are those set forth in the Federal pipeline safety statutes (49 U.S.C. 60101 *et seq.*). 49 U.S.C. 60102 grants authority, to the extent appropriate and practicable, to the Secretary to update incorporated, voluntary, consensus industry technical standards that were adopted as part of the PSR to protect public safety and the environment.

This final rule incorporates by reference more than a dozen updated standards. This final rule also makes several other minor clarifying and editorial changes to the PSRs.

B. Executive Order 12866; Regulatory Planning and Review

Executive Order (E.O.) 12866 (''Regulatory Planning and Review''),[10] as implemented by DOT Order 2100.6B (''Policies and Procedures for Rulemaking''), requires agencies to regulate in the ''most cost-effective manner,'' to make a ''reasoned determination that the benefits of the intended regulation justify its costs,'' and to develop regulations that ''impose the least burden on society.'' DOT Order 2100.6B specifies that regulations generally should ''not be issued unless their benefits are expected to exceed their costs.'' In arriving at those conclusions, E.O. 12866 requires that agencies should consider ''both quantifiable measures . . . and qualitative measures of costs and benefits that are difficult to quantify'' and ''maximize net benefits . . . unless a statute requires another regulatory approach.'' E.O. 12866 also requires that ''agencies should assess all costs and benefits of available regulatory alternatives, including the alternative of not regulating.'' DOT Order 2100.6B directs that PHMSA and other Operating Administrations generally must choose the ''least costly regulatory alternative that achieves the relevant objectives'' unless required by law or compelling safety need.

E.O. 12866 and DOT Order 2100.6B also require that PHMSA submit ''significant regulatory actions'' to the Office of Information and Regulatory Affairs (OIRA) within the Executive Office of the President's Office of Management and Budget (OMB) for review. This final rule is a not significant regulatory action pursuant to E.O. 12866; it also has not designated this rule as a ''major rule'' as defined by the Congressional Review Act (5 U.S.C. 801 *et seq.*). In accordance with the

[10] 58 FR 51735 (Oct. 4, 1993).

NTTAA and OMB Circular A–119, PHMSA continuously reviews new editions and revisions to relevant standards and publishes a proposed rule every 2–3 years to incorporate new or updated consensus standards by reference. This practice is consistent with the intent of the NTTAA and OMB directives to avoid the need to develop government standards that could potentially result in regulatory conflicts with updated standards and an increased compliance burden for industry.

PHMSA expects that the changes to the PSRs described in this final rule will result in unquantified public safety and environmental benefits associated with the updated standards. Though many of the amendments are editorial revisions or clarifications, others consist of substantive changes that reflect advancements in the state of knowledge (based on developments in technology, testing, and practical experience) compared to earlier versions of the same standards. PHMSA expects that updating the standards referenced in the PSR e will enhance the protection of public safety and the environment.

The administrative burden imposed from updating the standards referenced in this final rule will be negligible. Updates to consensus industry standards are generally accepted and followed on a voluntary basis throughout most of the pipeline industry. The majority of pipeline operators already purchase and voluntarily apply industry standards—including the updated standards that are the subject of this rulemaking—within their ordinary business practices. Most of the updated standards incorporated by reference in this final rule can be viewed online for free. Incorporation of the updated version of these standards within the PSRs will avoid the additional costs of complying with different versions of the same standards.

In addition to incorporating updated industry standards, PHMSA is adopting non-substantive editorial changes and clarifications of certain provisions of regulatory language. Since these editorial changes are minor, this final rule will not require pipeline operators to undertake significant new pipeline safety initiatives and will have negligible cost implications. The non-substantive changes will increase the clarity of the pipeline safety regulations, thereby improving compliance and helping to ensure the safety of the Nation's pipeline systems.

C. Executive Orders 14192 and 14219

This final rule is an E.O. 14192 (''Unleashing Prosperity Through Deregulation'') deregulatory action. PHMSA estimates that the total costs of the rule on the regulated community will be less than zero. Nor does this rule implicate any of the factors identified in section 2(a) of E.O. 14219 (''Ensuring Lawful Governance and Implementing the President's 'Department of Government Efficiency' Deregulatory Initiative'') that are indicative of a regulation that is ''unlawful . . . [or] that undermine[s] the national interest.'' [11]

D. Energy-Related Executive Orders 13211, 14154, and 14156

The President has declared in E.O. 14156 (''Declaring a National Energy Emergency'') [12] a national emergency to address America's inadequate energy development production, transportation, refining, and generation capacity. Similarly, E.O. 14154 (''Unleashing American Energy'') [13] asserts a Federal policy to unleash American energy by ensuing access to abundant supplies of reliable, affordable energy from (inter alia) the removal of ''undue burden[s]'' on the identification, development, or use of domestic energy resources such as PHMSA-jurisdictional gasses and hazardous liquids. PHMSA finds this final rule is consistent with each of E.O. 14156 and E.O. 14154. The final rule will give affected pipeline operators the benefit of using the updated standards to maintain or improve public safety, prevent regulatory confusion, and reduce compliance burdens on stakeholders. PHMSA therefore expects the regulatory amendments in this final rule will in turn increase national pipeline transportation capacity and improve pipeline operators' ability to provide abundant, reliable, affordable natural gas and hazardous liquids in response to residential, commercial, and industrial demand.

This final rule is not a ''significant energy action'' under E.O. 13211 (''Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use''),[14] which requires Federal agencies to prepare a Statement of Energy Effects for any ''significant energy action.'' Because this final rule is not a significant action under E.O. 12866, it will not have a significant adverse effect on supply, distribution, or energy use; OIRA has therefore not designated this final rule as a significant energy action.

E. Executive Order 13132

PHMSA analyzed this final rule in accordance with the principles and criteria contained in E.O. 13132 (''Federalism'') [15] and the Presidential Memorandum (''Preemption'') published in the **Federal Register** on May 22, 2009.[16] E.O. 13132 requires agencies to assure meaningful and timely input by State and local officials in the development of regulatory policies that may 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.''

While the final rule may operate to preempt some State requirements, it will not impose any regulation that has substantial direct effects on the States, the relationship between the National Government and the States, or the distribution of power and responsibilities among the various levels of government. Section 60104(c) of Federal Pipeline Safety Laws prohibits certain State safety regulation of interstate pipelines. Under Federal Pipeline Safety Laws, States that have submitted a current certification under section 60105(a) can augment Federal pipeline safety requirements for intrastate pipelines regulated by PHMSA but may not approve safety requirements less stringent than those required by Federal law. A State may also regulate an intrastate pipeline facility that PHMSA does not regulate. The preemptive effect of the regulatory amendments in this final rule is limited to the minimum level necessary to achieve the objectives of the Federal Pipeline Safety Laws. Therefore, the consultation and funding requirements of E.O. 13132 do not apply.

F. Regulatory Flexibility Act

The Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) requires Federal agencies to conduct a Final Regulatory Flexibility Analysis (FRFA) for a final rule subject to notice-and-comment rulemaking under the APA unless the agency head certifies that the rulemaking will not have a significant economic impact on a substantial number of small entities. PHMSA expects no affected operators will face significant costs because the reference is freely available, most operators are already in compliance, and compliance cost differences between standards are expected to be negligible. E.O. 13272 (''Proper Consideration of Small Entities

[11] 90 FR 10583 (Feb. 25, 2025).
[12] 90 FR 8353 (Jan. 29, 2025).
[13] 90 FR 8353 (Jan. 29, 2025).
[14] 66 FR 28355 (May 22, 2001).
[15] 64 FR 43255 (Aug. 10, 1999).
[16] 74 FR 24693 (May 22, 2009).

in Agency Rulemaking'') [9] obliges agencies to establish procedures promoting compliance with the Regulatory Flexibility Act. DOT posts its implementing guidance on a dedicated web page.[10] This final rule was developed in accordance with E.O. 13272 and DOT implementing guidance to ensure compliance with the Regulatory Flexibility Act. PHMSA expects that this final rule will relieve regulatory burdens and therefore certifies the final rule will not have a significant impact on a substantial number of small entities.

G. Unfunded Mandates Reform Act of 1995

The Unfunded Mandates Reform Act (UMRA, 2 U.S.C. 1501 *et seq.*) requires agencies to assess the effects of Federal regulatory actions on State, local, and Tribal governments, and the private sector. For any proposed or final rule that includes a Federal mandate that may result in the expenditure by state, local, and Tribal governments, in the aggregate of $100 million or more (in 1996 dollars) in any given year, the agency must prepare, amongst other things, a written statement that qualitatively and quantitatively assesses the costs and benefits of the Federal mandate.

This final rule does not impose unfunded mandates under UMRA because it does not result in costs of $100 million or more (in 1996 dollars) per year for either State, local, or Tribal governments, or to the private sector.

H. Final Environmental Assessment

1. Introduction

The National Environmental Policy Act of 1969 (NEPA; 42 U.S.C. 4321 *et seq.*), requires that Federal agencies assess and consider impacts on the human and natural environment of their actions. When an action does not have a reasonably foreseeable significant effect on the quality of the human environment, or if the significance of such effect is unknown, Federal agencies are required to prepare an environmental assessment. If, based on the finding of the environmental review, the agency determines not to prepare an environmental impact statement (EIS) because the proposed action will not have significant effects on the human or natural environment, the agency can conclude the NEPA process with a finding of no significant impact (FONSI) (42 U.S.C. 4336(b)(2)).

2. Purpose and Need

The purpose of this final rule is to incorporate by reference (IBR) 19 updated voluntary, consensus industry technical standards (updated industry standards) within the PSR (49 CFR parts 190–199). These updated standards will maintain or improve public safety, prevent regulatory confusion, and reduce compliance burdens consistent with the requirements in the NTTAA of 1995 (15 United States Code (U.S.C.) 272 (note)).

PHMSA incorporates more than 80 industry standards by reference into the PSR. This final rule is needed because these standards become outdated over time as new editions become available. By updating these standards, PHMSA ensures better alignment of the PSR with the latest innovations in operational and management practices, materials, testing, and technological advancements; enhances compliance by avoiding conflict between different versions of the same industry standards; and facilitates safety-focused allocation of resources by pipeline operators.

3. Description of Alternatives

3.1 No Action Alternative

If PHMSA were to select the No Action Alternative, no changes would be made to the current PSRs. There would not be better alignment of the PSR with the latest innovations in operational and management practices, materials, testing, and technological advancements; enhancement of compliance by avoiding conflict between different versions of the same industry standards; and facilitation of safety-focused allocation of resources by pipeline operators. Thus, the No Action Alternative does not fulfill the purpose and need of this action.

3.2 Selected Action Alternative (Final Rule)

This alternative incorporates updated industry standards and amendments into the 49 CFR parts 192 and 195. These updated industry standards are developed through agreed-upon procedures and adopted by domestic and international standard development organizations, ensuring the voluntary, consensus industry standards reflect modern technology and technology practices. The amendments are summarized below and can be found in more detail in Section V of the Final Rule.

Standards development organization	Standard incorporated by reference
American Petroleum Institute	1. API Recommended Practice (RP) 652, ''Linings of Aboveground Petroleum Storage Tank Bottoms,'' 5th Edition, May 2020. 2. API RP 2003, ''Protection Against Ignitions Arising out of Static, Lightning, and Stray Currents,'' 8th Edition, September 2015, reaffirmed March 2020. 3. API Specification (Spec) 12F, ''Specification for Shop-welded Tanks for Storage of Production Liquids,'' 13th Edition, January 2019. 4. API 510, ''Pressure Vessel Inspection Code: In-Service Inspection, Rating, Repair, and Alteration,'' 10th Edition, May 1, 2014, Including Addendum 1 (May 2017). 5. API Standard (Std) 2510, ''Design and Construction of LPG Installations,'' 9th Edition, August 2020.
American Society of Mechanical Engineers	1. ASME B16.40–2019, ''Manually Operated Thermoplastic Gas Shutoffs and Valves in Gas Distribution Systems,'' issued February 11, 2019. 2. ASME B31.4–2019, ''Pipeline Transportation Systems for Liquids and Slurries: ASME Code for Pressure Piping, B31,'' issued November 1, 2019.
The American Society for Nondestructive Testing.	1. ANSI/ASNT ILI–PQ–2017, ''In-line Inspection Personnel Qualification and Certification,'' 2017 Edition, approved December 12, 2017.
The Association for Materials Protection and Performance.	1. ANSI/NACE SP0502–2010, Pipeline External Corrosion Direct Assessment Methodology, revised June 24, 2010, (NACE SP0502). 2. NACE SP0102–2017, ''In-Line Inspection of Pipelines,'' March 10, 2017.
ASTM International	1. ASTM A372/A372M–20e1, ''Standard Specification for Carbon and Alloy Steel Forgings for Thin-Walled Pressure Vessels,'' approved March 1, 2020. 2. ASTM A672/A672M–19, ''Standard Specification for Electric-Fusion-Welded Steel Pipe for High-Pressure Service at Moderate Temperatures,'' approved November 1, 2019.

Standards development organization	Standard incorporated by reference
	3. ASTM D2513–20, ''Standard Specification for Polyethylene (PE) Gas Pressure Pipe, Tubing, and Fittings,'' approved December 1, 2020. 4. ASTM D2564–20, ''Standard Specification for Solvent Cements for Poly(Vinyl Chloride) (PVC) Plastic Piping Systems,'' approved August 1, 2020. 5. ASTM F1055–16a, ''Standard Specification for Electrofusion Type Polyethylene Fittings for Outside Diameter Controlled Polyethylene and Crosslinked Polyethylene (PEX) Pipe and Tubing,'' approved November 15, 2016. 6. ASTM F1924–19, ''Standard Specification for Plastic Mechanical Fittings for Use on Outside Diameter Controlled Polyethylene Gas Distribution Pipe and Tubing,'' approved August 1, 2019. 7. ASTM F1948–20, ''Standard Specification for Metallic Mechanical Fittings for Use on Outside Diameter Controlled Thermoplastic Gas Distribution Pipe and Tubing,'' approved February 1, 2020. 8. ASTM F2620–20ae2, ''Standard Practice for Heat Fusion Joining of Polyethylene Pipe and Fittings,'' approved December 1, 2020. 9. ASTM F2785–21, ''Standard Specification for Polyamide 12 Gas Pressure Pipe, Tubing, and Fittings,'' approved July 1, 2021.
The National Fire Protection Association	1. NFPA 30, ''Flammable and Combustible Liquids Code,'' 2021 Edition, effective August 31, 2020.
Miscellaneous Amendments	
	1. Removing of ASTM D638, ''Standard Test Method for Tensile Properties of Plastics'' from § 192.7(e)(10). 2. Revising of § 191.9: Distribution system: Incident report to update reference to Department of Transportation Form RSPA F 7100.1 and removing references to specific editions of the standards in this rule throughout parts 192 and 195, except in §§ 192.7 and 195.3. 3. Revising of definition of a moderate consequence area in § 192.3 and adding new appendix, appendix G to part 192 to provide guidance on moderate consequence areas. 4. Amending § 191.22(c)(1)(i) to change ''of'' to ''or'' in the following phrase: ''Construction of any planned rehabilitation,'' thereby rectifying a typographical error. 5. Correcting the reference in § 192.327(g) from § 192.612(b)(3) to § 192.612(c)(3). 6. Adding § 192.620(d) to the list of reference locations for NACE SP0502, which is currently listed in § 192.7(h)(4). 7. Amending § 192.620(d)(7)(ii) to reference ''NACE SP0502'' instead of ''NACE RP–0502–2002.'' 8. Amending the address in § 192.18(a)(2) to read: ''ATTN: Information Resources Manager, Office of Pipeline Safety, Pipeline and Hazardous Materials Safety Administration, PHF–30, 1200 New Jersey Avenue SE, Washington, D.C. 20590.'' 9. Amending appendix B to part 192 to remove version numbers from the referenced standards. 10. Amending appendix B to part 192 to standardize the structure of the references. 11. Amending § 195.54 to add DOT Form 7000–2.

4. Affected Environment

The Nation's pipelines are located throughout the United States, both onshore and offshore, and traverse a variety of environments that range from highly populated urban sites to remote, unpopulated rural areas and ecologically sensitive environments. Updating new industry standards or those already incorporated into the PSRs can provide operators with the advantages and added safety that may be associated with newer technologies. These standards are based on the accumulated knowledge and experience of owners, operators, manufactures, risk-management experts, and others involved in the pipeline industry, as well as government agencies that write regulations to ensure the products are moved safely throughout the country. Because the proposed rule is national in scope, it can be assumed the affected environment includes environmental resources such as air, land, water, cultural and socio-economic features throughout the entirety of the United States.

5. Environmental Consequences

5.1 No Action Alternative

If PHMSA were to select the No Action Alternative, the PSR would remain as is and there would be no new impact on the human or natural environment. The No Action Alternative would not adopt these new editions and the PSRs would fall behind in the latest innovations in operational and management practices, materials, testing, and technological advancements, would not enhance compliance by avoiding conflict between different versions of the same industry standards, and would not facilitate safety-focused allocation of resources by pipeline operators. The No Action Alternative would not address the purpose and need for the final rule.

5.2 Selected Action Alternative (Final Rule)

The amendments made under the Selected Action Alternative will either maintain or enhance the high safety standards currently achieved under the PSRs by aligning regulations with updated voluntary, consensus industry technical standards by reference. These industry standards often incorporate new technologies, materials, management practices, and other innovations that can improve the physical integrity, and the safe operation of pipeline facilities. By incorporating these updates by reference into the PSR, PHMSA can prevent conflicts between the standards referenced in the PSRs and updated versions of the same standards with which operators and suppliers may comply voluntarily, thereby (1) avoiding the confusion and expense associated with ensuring compliance with competing versions of the same

standard; and (2) improving compliance and allowing the allocation of more operator resources toward safety.

The risk of a pipeline incident depends on several factors, including but not limited to, the contents of the pipeline and the incident location, notably whether the incident occurs near a heavily populated area or sensitive environment. A release from a pipeline that transports hazardous liquid (as well as carbon dioxide) or natural gas—which is subject to PHMSA's jurisdiction—could harm the natural environment and the health and safety of the public. Remediation following a hazardous liquid release requires the removal and disposal of soil directly adjacent to and within the vicinity of pipelines, which results in the loss of vegetation. The replacement of this removed soil can result in the introduction of invasive species, which can degrade the ecological value of an area. In addition, a release could lead to contamination of air and water resources, including oceans, streams, and lakes.

Compliance with the PSR reduces the likelihood of accidental product release. Updating new industry standards or those already incorporated into the PSRs can provide operators with the advantages and added safety that may be associated with newer technologies. These standards are based on the accumulated knowledge and experience of owners, operators, manufactures, risk-management experts, and others involved in the pipeline industry, as well as government agencies that write regulations to ensure the products are moved safely throughout the country. PHMSA staff actively participates in the standards development process to ensure that each incorporated standard will enhance pipeline safety and environmental protection. PHMSA has qualitatively reviewed each of the standards described in this rule and determined that most of the updates involve minor changes, such as editorial changes, the inclusion of best practices, or similar changes. In a small number of instances, standards organizations have relaxed standards to reduce industry burden, but PHMSA has found that in all cases of such a change in this rulemaking, the change is justified by overlapping protections or technological innovation, and therefore would not lead to any degradation in safety or the environment.

6. Public Involvement

PHMSA issued a Draft Environmental Assessment (DEA) with the NPRM on August 29, 2022, under Docket No. PHMSA–2020–0013, which proposed incorporating by reference all or parts of updated editions of some of the voluntary, consensus, industry technical standards into the PSR, along with non-substantive edits and clarifications to certain other provisions of the PSR.

The comment period for the NPRM and DEA closed on October 28, 2022. PHMSA received nine comments. Two were generally supportive of the proposed changes and their anticipated environmental benefits. The comments, along with PHMSA's responses are detailed in Section IV of the final rule.

Pursuant to 49 U.S.C. 60115, the GPAC and LPAC met on January 16, 2025, to assess the technical feasibility, reasonableness, cost-effectiveness, and practicability of the standards proposed in the NPRM. The GPAC and LPAC voted on and approved the regulatory amendments as proposed. The transcripts and the vote slides together constitute the GPAC and LPAC report for this rulemaking required under 49 U.S.C. 60115. No discussions were related to the environmental effects analysis of the NPRM as described in the DEA. The discussions, along with PHMSA's responses are detailed in Section IV of the final rule.

7. Agencies and Persons Consulted

No other agencies or persons were consulted during the development of this Environmental Assessment.

8. Finding of No Significant Impact

Based on the analysis summarized in this EA and accompanying final rule, PHMSA finds that the Selected Action Alternative (final rule) will not have a significant impact on the human or natural environment. The amendments of the final rule will either maintain or enhance the protection of public safety by ensuring better alignment of the PSRs with the latest innovations in operational and management practices, materials, testing, and technological advancements; enhance compliance by avoiding conflict between different versions of the same industry standards; and facilitate safety-focused allocation of resources by pipeline operators. PHMSA determined that most of the updates involve minor changes, such as editorial changes, the inclusion of best practices, or similar changes. Therefore, PHMSA has determined that this rulemaking results in a finding of no significant impact to the human or natural environment.

I. Executive Order 13175

PHMSA analyzed this final rule according to the principles and criteria in E.O. 13175 (''Consultation and Coordination with Indian Tribal Governments'') [17] and DOT Order 5301.1A (''Department of Transportation Tribal Consultation Policies and Procedures''). E.O. 13175 requires agencies to assure meaningful and timely input from Tribal government representatives in the development of rules that significantly or uniquely affect Tribal communities by imposing ''substantial direct compliance costs'' or ''substantial direct effects'' on such communities or the relationship or distribution of power between the Federal government and Tribes.

PHMSA assessed the impact of the final rule and determined that it will not significantly or uniquely affect Tribal communities or Indian Tribal governments. The rulemaking's regulatory amendments have a broad, national scope; therefore, this final rule will not significantly or uniquely affect Tribal communities, much less impose substantial compliance costs on Native American Tribal governments or mandate Tribal action. For these reasons, PHMSA has concluded that the funding and consultation requirements of E.O. 13175 and DOT Order 5301.1A do not apply.

J. Paperwork Reduction Act

The Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*) and its implementing regulations at 5 CFR 1320.8(d) requires that PHMSA provide interested members of the public and affected agencies with an opportunity to comment on information collection and recordkeeping requests. This rulemaking will not create, amend, or rescind any existing information collections.

K. Executive Order 13609 and International Trade Analysis

E.O. 13609 (''Promoting International Regulatory Cooperation'') requires agencies to consider whether the impacts associated with significant variations between domestic and international regulatory approaches are unnecessary or may impair the ability of U.S. businesses to export and compete internationally.[18] By meeting shared challenges involving health, safety, labor, environmental, security, and other issues, international regulatory cooperation can identify approaches that are at least as protective as those that would be adopted in the absence of such cooperation. International regulatory cooperation can also reduce, eliminate, or prevent unnecessary differences in regulatory requirements.

[17] 65 FR 67249 (Nov. 9, 2000).

[18] 77 FR 26413 (May 4, 2012).

Similarly, the Trade Agreements Act of 1979 (Pub. L. 96–39), as amended by the Uruguay Round Agreements Act (Pub. L. 103–465), prohibits Federal agencies from establishing any industry standards or engaging in related activities that create unnecessary obstacles to the foreign commerce of the United States. For purposes of these requirements, Federal agencies may participate in the establishment of international standards, so long as the standards have a legitimate domestic objective—such as helping to ensure safety—and do not operate to exclude imports that meet this objective. The statute also requires consideration of international standards and, where appropriate, that they serve as the basis for U.S. standards.

PHMSA participates in the establishment of international standards to protect the safety of the U.S. public. PHMSA assessed the effects of the final rule and understands that it will not cause unnecessary obstacles to foreign trade.

L. Cybersecurity and Executive Order 14028

E.O. 14028 (''Improving the Nation's Cybersecurity'') [19] directed the Federal government to improve its efforts to identify, deter, and respond to ''persistent and increasingly sophisticated malicious cyber campaigns.'' PHMSA has considered the effects of the final rule and has determined that its regulatory amendments will not materially affect the cybersecurity risk profile for pipeline facilities.

M. National Technology Transfer and Advancement Act

The NTTAA directs Federal agencies to ''use technical standards developed by voluntary consensus standard bodies instead of government-developed technical standards,'' ''when practical and consistent with applicable laws.'' Consistent with that mandate, PHMSA incorporates more than 80 industry standards by reference into the PSRs; however, many standards become outdated over time as new editions become available. By updating these standards, PHMSA ensures better alignment of the PSRs with the latest innovations in operational and management practices, materials, testing, and technological advancements; enhances compliance by avoiding conflict between different versions of the same industry standards; and facilitates safety-focused allocation of resources by pipeline operators. This final rule adopts 19 updated voluntary, consensus industry technical standards. Other standards appear in the amendatory text of this document and have already been approved for the locations in which they appear.

N. Severability

The purpose of this final rule is to operate holistically in addressing various issues necessary to ensure safe operation of regulated gas and hazardous liquid (as well as carbon dioxide) pipelines, with a focus on providing pipeline operators the ability to use current technologies, improved materials, and updated industry and management practices. However, PHMSA recognizes that this rule incorporates by reference various updated industry standards that focus on unique topics. Therefore, PHMSA concludes that the regulatory amendments adopted herein incorporating various updated industry standards into the PSRs are severable and able to function independently if severed from each other. In the event a court were to invalidate one or more of the unique provisions of the final rule issued in this proceeding, the remaining provisions should stand, thus allowing their continued effect.

List of Subjects

49 CFR Part 191

Incident, Notifications.

49 CFR Part 192

Incorporation by reference, Natural gas, Pipeline safety.

49 CFR Part 195

Anhydrous ammonia, Carbon dioxide, Incorporation by reference, Petroleum, Pipeline safety.

In consideration of the foregoing, PHMSA is amending 49 CFR parts 191, 192, and 195 as follows:

PART 191—TRANSPORTATION OF NATURAL AND OTHER GAS BY PIPELINE; ANNUAL, INCIDENT, AND OTHER REPORTING

■ 1. The authority citation for part 191 continues to read as follows:

Authority: 30 U.S.C. 185(w)(3), 49 U.S.C. 5121, 60101 *et seq.,* and 49 CFR 1.97.

§ 191.9 [Amended]

■ 3. In § 191.9, amend paragraph (a) by removing the text ''RSPA'' and adding, in its place, the text ''PHMSA''.

§ 191.22 [Amended]

■ 3. In § 191.22, amend paragraph (c)(1)(i) by removing the words ''Construction of any planned rehabilitation'' and adding, in their place, the words ''Construction or any planned rehabilitation''.

PART 192—TRANSPORTATION OF NATURAL AND OTHER GAS BY PIPELINE: MINIMUM FEDERAL SAFETY STANDARDS

■ 4. The authority citation for part 192 continues to read as follows:

Authority: 30 U.S.C. 185(w)(3), 49 U.S.C. 5103, 60101 *et seq.,* and 49 CFR 1.97.

§ 192.3 [Amended]

■ 5. In § 192.3, in the definition for ''Moderate consequence area'', amend paragraph (1)(ii) by removing the text ''as defined in the Federal Highway Administration's *Highway Functional Classification Concepts, Criteria and Procedures, Section 3.1* (see: *https://www.fhwa.dot.gov/planning/processes/statewide/related/highway_functional_classifications/fcauab.pdf*)'' and adding, in its place, the text ''(See appendix G to this part)''.

■ 6. Revise § 192.7 to read as follows:

§ 192.7 What documents are incorporated by reference partly or wholly in this part?

(a) Certain material is incorporated by reference into this part with the approval of the Director of the Federal Register under 5 U.S.C. 552(a) and 1 CFR part 51. All approved incorporation by reference material (IBR) is available for inspection at the Pipeline and Hazardous Materials Safety Administration (PHMSA) and the National Archives and Records Administration (NARA). Contact PHSMA at: Office of Pipeline Safety, Pipeline and Hazardous Materials Safety Administration, 1200 New Jersey Avenue SE, Washington, DC 20590, 202–366–4046; *www.phmsa.dot.gov/pipeline/regs.* 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.* The material may be obtained from the sources in the following paragraphs of this section.

(b) American Petroleum Institute (API), 200 Massachusetts Avenue NW, Suite 1100, Washington, DC 20001–5571; phone: (202) 682–8000; website: *www.api.org/.*

(1) API Recommended Practice 5L1, Recommended Practice for Railroad Transportation of Line Pipe, 7th edition, September 2009, (API RP 5L1), IBR approved for § 192.65(a).

(2) API Recommended Practice 5LT, Recommended Practice for Truck Transportation of Line Pipe, First edition, March 2012, (API RP 5LT), IBR approved for § 192.65(c).

[19] 86 FR 26633 (May 17, 2021).

(3) API Recommended Practice 5LW, Recommended Practice for Transportation of Line Pipe on Barges and Marine Vessels, 3rd edition, September 2009, (API RP 5LW), IBR approved for § 192.65(b).

(4) API Recommended Practice 80, Guidelines for the Definition of Onshore Gas Gathering Lines, 1st edition, April 2000, (API RP 80), IBR approved for § 192.8(a).

(5) API Recommended Practice 1162, Public Awareness Programs for Pipeline Operators, 1st edition, December 2003, (API RP 1162), IBR approved for § 192.616(a), (b), and (c).

(6) API Recommended Practice 1165, Recommended Practice for Pipeline SCADA Displays, First edition, January 2007, (API RP 1165), IBR approved for § 192.631(c).

(7) API Specification 5L, Line Pipe, 46th edition, April 2018, including Errata 1 (May 2018), (API Spec 5L); IBR approved for §§ 192.55(e); 192.112(a), (b), (c), (d), and (e); 192.113; appendix B to part 192.

(8) API Specification 6D, Specification for Valves, 25th edition, November 1, 2021, including Errata (December 2021), Errata 2 (April 2022), Errata 3 (October 2023), Addendum 1 (April 2023), Addendum 2 (September 2024), and Addendum 3 (March 2025), (API Spec 6D); IBR approved for § 192.145(a).

(9) API Standard 1104, Welding of Pipelines and Related Facilities, 21st edition, September 2013, including Errata 1 through 5 (April 2014 through September 2018), Addendum 1 (2014), and Addendum 2 (2016), (API Std 1104); IBR approved for §§ 192.225(a); 192.227(a); 192.229(b) and (c); 192.241(c); appendix B to part 192.

(10) API Recommended Practice 1170, Design and Operation of Solution-mined Salt Caverns Used for Natural Gas Storage, 2nd edition, November 2022 (API RP 1170); IBR approved for § 192.12(a).

(11) API Recommended Practice 1171, Functional Integrity of Natural Gas Storage in Depleted Hydrocarbon Reservoirs and Aquifer Reservoirs, 2nd edition, November 2022, including Errata 1, September 2023 (API RP 1171); IBR approved for § 192.12(a), (b), and (d).

(12) API Standard 1163, In-Line Inspection Systems Qualification, Second edition, April 2013, Reaffirmed August 2018, (API STD 1163), IBR approved for § 192.493.

(c) American Society of Mechanical Engineers (ASME). Two Park Avenue, New York, NY 10016; phone: (800) 843–2763 (U.S./Canada); website: *www.asme.org/.*

(1) ASME/ANSI B16.1–2005, Gray Iron Pipe Flanges and Flanged Fittings: (Classes 25, 125, and 250), August 31, 2006, (ASME/ANSI B16.1); IBR approved for § 192.147(c).

(2) ASME/ANSI B16.5–2003, Pipe Flanges and Flanged Fittings, October 2004, (ASME/ANSI B16.5); IBR approved for §§ 192.147(a); 192.607(f).

(3) ASME B16.40–2019, Manually Operated Thermoplastic Gas Shutoffs and Valves in Gas Distribution Systems, issued February 11, 2019, (ASME B16.40); IBR approved for appendix B to this part.

(4) ASME/ANSI B31G–1991 (Reaffirmed 2004), Manual for Determining the Remaining Strength of Corroded Pipelines, 2004, (ASME/ANSI B31G); IBR approved for §§ 192.632(a); 192.712(b).

(5) ASME B31.8–2018, Gas Transmission and Distribution Piping Systems, Issued November 20, 2018, (ASME B31.8); IBR approved for §§ 192.112(b); 192.619(a); 192.911(m).

(6) ASME B31.8S–2018, Managing System Integrity of Gas Pipelines, Issued November 28, 2018, (ASME B31.8S); IBR approved for §§ 192.13(d); 192.714(c) and (d); 192.903 note to Potential impact radius; 192.907(b); 192.911 introductory text, (i), and (l); 192.913(a) through (c); 192.917(a) through (e); 192.921(a); 192.923(b); 192.925(b); 192.933(c) and (d); 192.935(b); 192.937(c); 192.939(a); 192.945(a).

(7) ASME B36.10M–2018, Welded and Seamless Wrought Steel Pipe, Issued October 12, 2018, (ASME B36.10M); IBR approved for § 192.279.

(8) ASME Boiler & Pressure Vessel Code, Section VIII, Division 1 ''Rules for Construction of Pressure Vessels,'' 2007 edition, July 1, 2007, (ASME BPVC, Section VIII, Division 1); IBR approved for §§ 192.153(a), (b), and (d); 192.165(b).

(9) ASME Boiler & Pressure Vessel Code, Section VIII, Division 2 ''Alternate Rules, Rules for Construction of Pressure Vessels,'' 2007 edition, July 1, 2007, (ASME BPVC, Section VIII, Division 2); IBR approved for §§ 192.153(b), and (d); 192.165(b).

(10) ASME Boiler & Pressure Vessel Code, Section IX: ''Qualification Standard for Welding and Brazing Procedures, Welders, Brazers, and Welding and Brazing Operators,'' 2007 edition, July 1, 2007, ASME BPVC, Section IX; IBR approved for §§ 192.225(a); 192.227(a); appendix B to this part.

(d) American Society for Nondestructive Testing, (ASNT), 1201 Dublin Road, Suite #G04, Columbus, OH 43215; phone: (800) 222–2768; website: *www.asnt.org/.*

(1) ANSI/ASNT ILI–PQ 2017, In-line Inspection Personnel Qualification and Certification, 2017 Edition, approved December 12, 2017, (ASNT ILI–PQ); IBR approved for § 192.493.

(2) [Reserved]

(e) Association for Material Protection and Performance (AMPP), (formerly NACE, International), 1440 South Creek Drive, Houston, Texas 77084; phone: (281) 228–6223 or (800) 797–6223; website: *www.ampp.org/.*

(1) ANSI/NACE SP0502–2010, Pipeline External Corrosion Direct Assessment Methodology, revised June 24, 2010, (NACE SP0502); IBR approved for §§ 192.319(f); 192.461(h); 192.620(d); 192.923(b); 192.925(b); 192.931(d); 192.935(b); 192.939(a).

(2) NACE SP0102–2017, In-Line Inspection of Pipelines, March 10, 2017, (NACE SP0102); IBR approved for §§ 192.150(a); 192.493.

(3) NACE SP0204–2008, Standard Practice, ''Stress Corrosion Cracking (SCC) Direct Assessment Methodology,'' reaffirmed September 18, 2008, (NACE SP0204); IBR approved for §§ 192.923(b); 192.929(b).

(4) NACE SP0206–2006, Standard Practice, ''Internal Corrosion Direct Assessment Methodology for Pipelines Carrying Normally Dry Natural Gas (DG–ICDA),'' approved December 1, 2006, (NACE SP0206), IBR approved for §§ 192.923(b); 192.927(b), (c).

(f) ASTM International, 100 Barr Harbor Drive, P.O. Box C700, West Conshohocken, PA 19428; phone: (610) 832–9585; website: *www.astm.org/.*

(1) ASTM A53/A53M–22, Standard Specification for Pipe, Steel, Black and Hot-Dipped, Zinc-Coated, Welded and Seamless, approved July 1, 2022, (ASTM A53/A53M); IBR approved for § 192.113; appendix B to part 192.

(2) ASTM A106/A106M–19A, Standard Specification for Seamless Carbon Steel Pipe for High-Temperature Service, approved November 1, 2019, (ASTM A106/A106M); IBR approved for § 192.113; appendix B to part 192.

(3) ASTM A333/A333M–18, Standard Specification for Seamless and Welded Steel Pipe for Low-Temperature Service and Other Applications with Required Notch Toughness, approved November 1, 2018, (ASTM A333/A333M); IBR approved for § 192.113; appendix B to part 192.

(4) ASTM A372/A372M–20e1, Standard Specification for Carbon and Alloy Steel Forgings for Thin-Walled Pressure Vessels, approved March 1, 2020, (ASTM A372/A372M); IBR approved for § 192.177(b).

(5) ASTM A381/A381M–23, Standard Specification for Metal-Arc-Welded Carbon or High-Strength Low-alloy Steel Pipe for Use With High-Pressure Transmission Systems, approved November 1, 2023, (ASTM A381); IBR approved for § 192.113(a); appendix B to part 192.

(6) ASTM A578/A578M–17 (2023), ''Standard Specification for Straight-Beam Ultrasonic Examination of Rolled Steel Plates for Special Applications,'' reapproved November 1, 2023, (ASTM A578/A578M); IBR approved for § 192.112(c).

(7) ASTM A671/A671M–20, Standard Specification for Electric-Fusion-Welded Steel Pipe for Atmospheric and Lower Temperatures, approved March 1, 2020, (ASTM A671/A671M); IBR approved for § 192.113(a); appendix B to part 192.

(8) ASTM A672/A672M–19, Standard Specification for Electric-Fusion-Welded Steel Pipe for High-Pressure Service at Moderate Temperatures, approved November 1, 2019, (ASTM A672/672M); IBR approved for § 192.113(a); appendix B to this part.

(9) ASTM A691/A691M–19, Standard Specification for Carbon and Alloy Steel Pipe, Electric-Fusion-Welded for High-Pressure Service at High Temperatures, approved November 1, 2019, (ASTM A691/A691M); IBR approved for § 192.113; appendix B to part 192.

(10) [Reserved]

(11) ASTM D2513–20, Standard Specification for Polyethylene (PE) Gas Pressure Pipe, Tubing, and Fittings, approved December 1, 2020, (ASTM D2513); IBR approved for appendix B to this part.

(12) ASTM D2517–00, Standard Specification for Reinforced Epoxy Resin Gas Pressure Pipe and Fittings, (ASTM D2517), IBR approved for §§ 192.281(d); 192.283(a); appendix B to this part.

(13) ASTM D2564–20, Standard Specification for Solvent Cements for Poly(Vinyl Chloride) (PVC) Plastic Piping Systems, approved August 1, 2020, (ASTM D2564); IBR approved for § 192.281(b).

(14) ASTM F1055–16a, Standard Specification for Electrofusion Type Polyethylene Fittings for Outside Diameter Controlled Polyethylene and Crosslinked Polyethylene (PEX) Pipe and Tubing, approved November 15, 2016, (ASTM F1055); IBR approved for § 192.283(a); appendix B to this part.

(15) ASTM F1924–19, Standard Specification for Plastic Mechanical Fittings for Use on Outside Diameter Controlled Polyethylene Gas Distribution Pipe and Tubing, approved August 1, 2019, (ASTM F1924); IBR approved for appendix B to this part.

(16) ASTM F1948–20, Standard Specification for Metallic Mechanical Fittings for Use on Outside Diameter Controlled Thermoplastic Gas Distribution Pipe and Tubing, approved February 1, 2020, (ASTM F1948); IBR approved for appendix B to this part.

(17) ASTM F1973–21, Standard Specification for Factory Assembled Anodeless Risers and Transition Fittings in Polyethylene (PE) and Polyamide 11 (PA11) and Polyamide 12 (PA12) Fuel Gas Distribution Systems, November 1, 2021, (ASTM F1973); IBR approved for § 192.204(b); appendix B to this part.

(18) ASTM F2145–23, Standard Specification for Polyamide 11 (PA 11) and Polyamide 12 (PA12) Mechanical Fittings for Use on Outside Diameter Controlled Polyamide 11 and Polyamide 12 Pipe and Tubing, amended February 1, 2023, (ASTM F2145); IBR approved for appendix B to this part.

(19) ASTM F2600–09(2023), Standard Specification for Electrofusion Type Polyamide-11 Fittings for Outside Diameter Controlled Polyamide-11 Pipe and Tubing, reapproved November 1, 2023, (ASTM F2600); IBR approved for appendix B to this part.

(20) ASTM F2620–20ae2, Standard Practice for Heat Fusion Joining of Polyethylene Pipe and Fittings, approved December 1, 2020, (ASTM F2620); IBR approved for §§ 192.281(c); 192.285(b).

(21) ASTM F2767–18(2023), Specification for Electrofusion Type Polyamide-12 Fittings for Outside Diameter Controlled Polyamide-12 Pipe and Tubing for Gas Distribution, November 1, 2023 (ASTM F2767); IBR approved for appendix B to this part.

(22) ASTM F2785–21, Standard Specification for Polyamide 12 Gas Pressure Pipe, Tubing, and Fittings, approved July 1, 2021, (ASTM F2785); IBR approved for appendix B to this part.

(23) ASTM F2817–13 (Reapproved 2023), Standard Specification for Poly (Vinyl Chloride) (PVC) Gas Pressure Pipe and Fittings for Maintenance or Repair, approved July 1, 2023, (ASTM F2817); IBR approved for appendix B to this part.

(24) ASTM F2945–18 (Reapproved 2023) Standard Specification for Polyamide 11 Gas Pressure Pipe, Tubing, and Fittings, approved November 1, 2023 (ASTM F2945); IBR approved for appendix B to this part.

(g) [Reserved]

(h) Manufacturers Standardization Society of the Valve and Fittings Industry, Inc. (MSS), 127 Park St. NE, Vienna, VA 22180; phone: (703) 281–6613; email: *info@msshq.org;* website: *www.mss-hq.org/.*

(1) ANSI/MSS SP–44–2019, Steel Pipeline Flanges, published April 2020, (MSS SP–44); IBR approved for § 192.147(a).

(2) [Reserved]

(i) National Fire Protection Association (NFPA), 1 Batterymarch Park, Quincy, Massachusetts 02169; phone: (800) 344–3555; website: *www.nfpa.org/.*

(1) NFPA 30, Flammable and Combustible Liquids Code, 2021 Edition, effective August 31, 2020, (NFPA 30); IBR approved for § 192.735(b).

(2) NFPA 58, Liquefied Petroleum Gas Code, 2020 edition, effective August 25, 2019, (NFPA 58); IBR approved for § 192.11.

(3) NFPA 59, Utility LP-Gas Plant Code, 2018 edition, effective September 6, 2017, (NFPA 59); IBR approved for § 192.11.

(4) NFPA 70, National Electrical Code (NEC), 2023 edition, effective September 1, 2022; IBR approved for §§ 192.163(e); 192.189(c).

(j) Pipeline Research Council International, Inc. (PRCI), 15059 Conference Center Drive Suite 130, Chantilly, VA 20151; phone: (703) 205–1600; website: *www.prci.org.*

(1) AGA, Pipeline Research Committee Project, PR–3–805, A Modified Criterion for Evaluating the Remaining Strength of Corroded Pipe, December 22, 1989, (PRCI PR–3–805 (R–STRENG)), IBR approved for §§ 192.632(a); 192.712(b).

(2) [Reserved]

(k) Plastics Pipe Institute, Inc. (PPI), 105 Decker Court, Suite 825, Irving, TX 75062; phone: 469–499–1044, website: *www.plasticpipe.org/.*

(1) PPI TR–3, Policies and Procedures for Developing Hydrostatic Design Basis (HDB), Hydrostatic Design Stresses (HDS), Pressure Design Basis (PDB), Strength Design Basis (SDB), Minimum Required Strength (MRS) Ratings, and Categorized Required Strength (CRS) for Thermoplastic Piping Materials or Pipe, May 1, 2024; IBR approved for § 192.121(a).

(2) PPI TR–4, PPI HSB Listing of Hydrostatic Design Basis (HDB), Hydrostatic Design Stress (HDS), Strength Design Basis (SDB), Pressure Design Basis (PDB) and Minimum Required Strength (MRS) Ratings For Thermoplastic Piping Materials or Pipe, updated May 1, 2024, (PPI TR–4); IBR approved for § 192.121(b).

■ 7. Amend § 192.18 by revising paragraph (a)(2) to read as follows:

§ 192.18 How to notify PHMSA.

(a) * * *

(2) Sending the notification by mail to ATTN: Information Resources Manager, Office of Pipeline Safety, Pipeline and Hazardous Materials Safety Administration, PHF–30, 1200 New Jersey Avenue SE, Washington, DC 20590.

* * * * *

■ 8. In § 192.113, amend table 1 to paragraph (a) by removing the entry for ''ASTM A672'' and adding, in its place, the entry ''ASTM A672/A672M'' to read as follows:

§ 192.113 Longitudinal joint factor (E) for steel pipe.

(a) * * *

TABLE 1 TO PARAGRAPH (a)

Specification	Pipe class	Longitudinal joint factor (E)
* * * * * * *		
ASTM A672/A672M (incorporated by reference, see § 192.7)	Electric-fusion-welded	1.00
* * * * * * *		

* * * * *

§ 192.281 [Amended]

■ 11. In § 192.281:

■ a. Amend paragraph (b)(2) by removing the text ''ASTM D2564–12'' and adding, in its place, the text ''ASTM D2564''; and

■ b. Amend paragraph (d)(1) by removing the text ''ASTM D 2517'' and adding, in its place, the text ''ASTM D2517''.

§ 192.283 [Amended]

■ 12. In § 192.283:

■ a. Amend paragraph (a)(1)(ii) by removing the text ''ASTM D2517–00'' and adding, in its place, the text ''ASTM D2517''; and

■ b. Amend paragraph (a)(1)(iii) by removing the text ''ASTM F1055–98(2006)'' and adding, in its place, the text ''ASTM F1055''.

§ 192.327 [Amended]

■ 13. In § 192.327, amend paragraph (g) by removing the text ''§ 192.612(b)(3)'' and adding, in its place, the text ''§ 192.612(c)(3)''.

§ 192.493 [Amended]

■ 14. Amend § 192.493 by removing the text ''ANSI/ASNT'' and adding, in its place, the text ''ASNT''.

■ 15. Amend § 192.620 by revising paragraph (d)(7)(ii) to read as follows:

§ 192.620 Alternative maximum allowable operating pressure for certain steel pipelines.

* * * * *

(d) * * *

To address increased risk of a maximum allowable operating pressure based on higher stress levels in the following areas:	Take the following additional step:
* * * * * * *	
(7) * * *	(ii) Remediate any construction damaged coating with a voltage drop classified as moderate or severe (IR drop greater than 35% for DCVG or 50 dBμv for ACVG) under Section 4 of NACE SP0502 (incorporated by reference, *see* § 192.7).
* * * * * * *	

* * * * *

■ 16. In appendix B to part 192:

■ a. Revise Section I;

■ b. Amend paragraph II.B by:

■ i. Removing the text ''API Standard 1104'' and adding, in its place, the text ''API Std 1104''; and

■ ii. Removing the text ''section IX of the ASME Boiler and Pressure Vessel Code (ibr, see 192.7)'' and adding, in its place, the text ''ASME BPVC, Section IX (incorporated by reference, see 192.7)''; and

■ c. Amend paragraph II.D by removing the text ''API Specification 5L'' and adding, in its place, the text ''API Spec 5L''.

The revision reads as follows:

Appendix B to Part 192—Qualification of Pipe and Components

I. List of Specifications

A. Listed Pipe Specifications

API Spec 5L, Line Pipe (incorporated by reference, see § 192.7).

ASTM A53/A53M, Standard Specification for Pipe, Steel, Black and Hot-Dipped, Zinc-Coated, Welded and Seamless (incorporated by reference, see § 192.7).

ASTM A106/A–106M, Standard Specification for Seamless Carbon Steel Pipe for High-Temperature Service (incorporated by reference, see § 192.7).

ASTM A333/A333M, Standard Specification for Seamless and Welded Steel Pipe for Low-Temperature Service and Other Applications with Required Notch Toughness (incorporated by reference, see § 192.7).

ASTM A381, Standard Specification for Metal-Arc-Welded Carbon or High-Strength Low-alloy Steel Pipe for Use With High-Pressure Transmission Systems (incorporated by reference, see § 192.7).

ASTM A671/A671M, Standard Specification for Electric-Fusion-Welded Steel Pipe for Atmospheric and Lower Temperatures (incorporated by reference, see § 192.7).

ASTM A672/A672M, Standard Specification for Electric-Fusion-Welded Steel Pipe for High-Pressure Service at Moderate Temperatures (incorporated by reference, see § 192.7).

ASTM A691/A691M, Standard Specification for Carbon and Alloy Steel Pipe, Electric-Fusion-Welded for High-Pressure Service at High Temperatures (incorporated by reference, see § 192.7).

ASTM D2513, Standard Specification for Polyethylene (PE) Gas Pressure Pipe, Tubing,

and Fittings (incorporated by reference, see § 192.7).

ASTM D2517, Standard Specification for Reinforced Epoxy Resin Gas Pressure Pipe and Fittings (incorporated by reference, see § 192.7).

ASTM F2785, Standard Specification for Polyamide 12 Gas Pressure Pipe, Tubing, and Fittings (incorporated by reference, see § 192.7).

ASTM F2817, Standard Specification for Poly (Vinyl Chloride) (PVC) Gas Pressure Pipe and Fittings for Maintenance or Repair (incorporated by reference, see § 192.7).

ASTM F2945, Standard Specification for Polyamide 11 Gas Pressure Pipe, Tubing, and Fittings (incorporated by reference, see § 192.7).

B. Other Listed Specifications for Components

ASME B16.40, Manually Operated Thermoplastic Gas Shutoffs and Valves in Gas Distribution Systems (incorporated by reference, see § 192.7).

ASTM D2513, Standard Specification for Polyethylene (PE) Gas Pressure Pipe, Tubing, and Fittings (incorporated by reference, see § 192.7).

ASTM D2517, Standard Specification for Reinforced Epoxy Resin Gas Pressure Pipe and Fittings (incorporated by reference, see § 192.7).

ASTM F1055, Standard Specification for Electrofusion Type Polyethylene Fittings for Outside Diameter Controlled Polyethylene and Crosslinked Polyethylene (PEX) Pipe and Tubing (incorporated by reference, see § 192.7).

ASTM F1924, Standard Specification for Plastic Mechanical Fittings for Use on Outside Diameter Controlled Polyethylene Gas Distribution Pipe and Tubing (incorporated by reference, see § 192.7).

ASTM F1948, Standard Specification for Metallic Mechanical Fittings for Use on Outside Diameter Controlled Thermoplastic Gas Distribution Pipe and Tubing (incorporated by reference, see § 192.7).

ASTM F1973, Standard Specification for Factory Assembled Anodeless Risers and Transition Fittings in Polyethylene (PE) and Polyamide 11 (PA 11) and Polyamide 12 (PA 12) Fuel Gas Distribution Systems (incorporated by reference, see § 192.7).

ASTM F2145, Standard Specification for Polyamide 11 (PA 11) and Polyamide 12 (PA12) Mechanical Fittings for Use on Outside Diameter Controlled Polyamide 11 and Polyamide 12 Pipe and Tubing (incorporated by reference, see § 192.7).

ASTM F2600, Standard Specification for Electrofusion Type Polyamide-11 Fittings for Outside Diameter Controlled Polyamide-11 Pipe and Tubing (incorporated by reference, see § 192.7).

ASTM F2767, Specification for Electrofusion Type Polyamide-12 Fittings for Outside Diameter Controlled Polyamide-12 Pipe and Tubing for Gas Distribution (incorporated by reference, see § 192.7).

ASTM F2785, Standard Specification for Polyamide 12 Gas Pressure Pipe, Tubing, and Fittings (incorporated by reference, see § 192.7).

ASTM F2817, Standard Specification for Poly (Vinyl Chloride) (PVC) Gas Pressure Pipe and Fittings for Maintenance or Repair (incorporated by reference, see § 192.7).

ASTM F2945, Standard Specification for Polyamide 11 Gas Pressure Pipe, Tubing, and Fittings (incorporated by reference, see § 192.7).

* * * * *

■ 17. Add appendix G to part 192 to read as follows:

Appendix G to Part 192—Guidance on Moderate Consequence Areas

I. List of Definitions

A. Other Principal Arterials

These roadways serve major centers of metropolitan areas, provide a high degree of mobility, and can also provide mobility through rural areas. Unlike their access-controlled counterparts, these roadways can serve abutting land uses directly. Forms of access for other principal arterial roadways include driveways to specific parcels and at-grade intersections with other roadways. For the most part, roadways that fall into the top three functional classification categories (interstate, other freeways and expressways, and other principal arterials) provide similar service in both urban and rural areas. The primary difference is that multiple arterial routes usually serve a particular urban area, radiating out from the urban center to serve the surrounding region. In contrast, an expanse of a rural area of equal size would be served by a single arterial.

B. Minor Arterials

Minor arterials provide service for trips of moderate length, serve geographic areas that are smaller than their higher-arterial counterparts, and offer connectivity to the higher-arterial system. In an urban context, they interconnect and augment the higher-arterial system, provide intra-community continuity, and may carry local bus routes. In rural settings, minor arterials should be identified and spaced at intervals that are consistent with population density so that all developed areas are within a reasonable distance of a higher-level Arterial. In addition, minor arterials in rural areas are typically designed to provide relatively high overall travel speeds, with minimum interference to through movement. The spacing of minor-arterial streets typically may vary from ⅛- to ½-mile in the central business district and between 2 and 3 miles in the suburban fringes. Normally, the spacing should not exceed 1 mile in fully developed areas.

C. Major and Minor Collectors

Collectors serve a critical role in the roadway network by gathering traffic from local roads and funneling it into the arterial network. Within the context of functional classification, collectors are broken down into two categories: major collectors and minor collectors. Until recently, this division was considered only in the rural environment. Currently, all collectors, regardless of whether they are within a rural area or an urban area, may be sub-stratified into major and minor categories. The determination regarding whether a given collector is a major or minor collector is frequently one of the biggest challenges in functionally classifying a roadway network. In the rural environment, collectors generally serve primarily intra-county travel (rather than statewide) and constitute those routes on which, independent of traffic volume, predominant travel distances are shorter than on arterial routes. Consequently, more moderate speeds may be posted. The distinctions between major collectors and minor collectors are often subtle. In general, major-collector routes are longer in length, have lower connecting-driveway densities, have higher speed limits, are spaced at greater intervals, have higher annual average traffic volumes, and may have more travel lanes than their minor-collector counterparts. Careful consideration should be given to these factors when assigning a major or minor collector designation. In rural areas, annual average daily traffic and spacing may be the most significant designation factors. Since major collectors offer more mobility and minor collectors offer more access, it is beneficial to reexamine these two fundamental concepts of functional classification. Overall, the total mileage of major collectors is typically lower than the total mileage of minor collectors, while the total collector mileage is typically one-third of the local roadway network.

PART 195—TRANSPORTATION OF HAZARDOUS LIQUIDS BY PIPELINE

■ 18. The authority citation for part 195 continues to read as follows:

Authority: 30 U.S.C. 185(w)(3), 49 U.S.C. 5103, 60101 *et seq.,* and 49 CFR 1.97.

■ 19. Revise § 195.3 to read as follows:

§ 195.3 What documents are incorporated by reference partly or wholly in this part?

(a) Certain material is incorporated by reference into this part with the approval of the Director of the Federal Register under 5 U.S.C. 552(a) and 1 CFR part 51. All approved incorporation by reference material (IBR) is available for inspection at the Pipeline and Hazardous Materials Safety Administration (PHMSA) and the National Archives and Records Administration (NARA). Contact PHSMA at: Office of Pipeline Safety, Pipeline and Hazardous Materials Safety Administration, 1200 New Jersey Avenue SE, Washington, DC 20590; phone: 202–366–4046; website: *www.phmsa.dot.gov/pipeline/regs.* 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.* The material may be obtained from the sources in the following paragraphs of this section.

(b) American Petroleum Institute (API), 200 Massachusetts Avenue NW, Suite 1100, Washington, DC 20001–

5571; phone: (202) 682–8000; website: *www.api.org/.*

(1) API 510, Pressure Vessel Inspection Code: In-service Inspection, Rating, Repair, and Alteration, 10th Edition, May 2014, Including Addendum 1 (May 2017); IBR approved for §§ 195.205(b); 195.432(c).

(2) API Recommended Practice 5L1, Recommended Practice for Railroad Transportation of Line Pipe, 7th edition, September 2009, (API RP 5L1); IBR approved for § 195.207(a).

(3) API Recommended Practice 5LT, Recommended Practice for Truck Transportation of Line Pipe, First edition, March 12, 2012, (API RP 5LT); IBR approved for § 195.207(c).

(4) API Recommended Practice 5LW, Recommended Practice Transportation of Line Pipe on Barges and Marine Vessels, 3rd edition, September 2009, (API RP 5LW); IBR approved for § 195.207(b).

(5) API Recommended Practice 651, Cathodic Protection of Aboveground Petroleum Storage Tanks, 4th edition, September 2014, (API RP 651); IBR approved for §§ 195.565; 195.573(d).

(6) API Recommended Practice 652, Linings of Aboveground Petroleum Storage Tank Bottoms, 5th Edition, May 2020, (API RP 652); IBR approved for § 195.579(d).

(7) API Recommended Practice 1130, Computational Pipeline Monitoring for Liquids: Pipeline Segment, 3rd edition, September 2007, (API RP 1130); IBR approved for §§ 195.134(c); 195.444(c).

(8) API Recommended Practice 1162, Public Awareness Programs for Pipeline Operators, 1st edition, December 2003, (API RP 1162); IBR approved for § 195.440(a), (b), and (c).

(9) API Recommended Practice 1165, Recommended Practice for Pipeline SCADA Displays, First edition, January 2007, (API RP 1165); IBR approved for § 195.446(c).

(10) API Recommended Practice 1168, Pipeline Control Room Management, First edition, September 2008, (API RP 1168); IBR approved for § 195.446(c) and (f).

(11) API Recommended Practice 2003, Protection Against Ignitions Arising out of Static, Lightning, and Stray Currents, 8th Edition, September 2015, reaffirmed March 2020, (API RP 2003); IBR approved for § 195.405(a).

(12) API Recommended Practice 2026, Safe Access/Egress Involving Floating Roofs of Storage Tanks in Petroleum Service, 4th edition, July 2022, (API RP 2026); IBR approved for § 195.405(b).

(13) API Specification 5L, Line Pipe, 46th edition, April 2018, including Errata 1 (May 2018), (API Spec 5L); IBR approved for § 195.106(b) and (e).

(14) API Specification 6D, Specification for Valves, 25th edition, November 1, 2021, including Errata 1 (December 2021), Errata 2 (April 2022), Errata 3 (October 2023), Addendum 1 (April 2023), Addendum 2 (September 2024), and Addendum 3 (March 2025), (API Spec 6D); IBR approved for § 195.116(d).

(15) API Specification 12F, Specification for Shop-welded Tanks for Storage of Production Liquids, 13th Edition, January 2019, (API Spec 12F); IBR approved for §§ 195.132(b); 195.205(b); 195.264(e); 195.307(a); 195.565; 195.579(d).

(16) API Standard 620, Design and Construction of Large, Welded, Low-pressure Storage Tanks, 12th edition, effective October 2013, including Addendum 1 through 4 (November 2014), Addendum 2 (April 2018), Addendum 3 (March 2021), Addendum 4 (February 2025), Errata 1 (March 2025), (API Std 620); IBR approved for §§ 195.132(b); 195.205(b); 195.264(e); 195.307(b); 195.565; 195.579(d).

(17) API Standard 650, Welded Tanks for Oil Storage, 13th edition, March 2020, including Errata 1 (January 2021), (API Std 650); IBR approved for §§ 195.132(b); 195.205(b); 195.307(c); 195.565; 195.579(d).

(18) API Standard 653, Tank Inspection, Repair, Alteration, and Reconstruction, 3rd edition, December 2001, (including addendum 1 (September 2003), addendum 2 (November 2005), addendum 3 (February 2008), and errata (April 2008)), (API Std 653); IBR approved for §§ 195.205(b); 195.307(d); 195.432(b).

(19) API Standard 1104, Welding of Pipelines and Related Facilities, 21st edition, September 2013, including Errata 1 through 5 (April 2014 through September 2018), Addendum 1 (July 2014), and Addendum 2 (May 2016), (API Std 1104); IBR approved for §§ 195.214(a); 195.222(a) and (b); 195.228(b).

(20) API Standard 1163, In-Line Inspection Systems Qualification, Second edition, April 2013, (API Std 1163); IBR approved for § 195.591.

(21) API Standard 2000, Venting Atmospheric and Low-pressure Storage Tanks, 7th Edition, March 2014, Reaffirmed April 2020, (API Std 2000); IBR approved for § 195.264(e).

(22) API Standard 2350, Overfill Prevention for Storage Tanks in Petroleum Facilities, 5th edition, September 2020, including Errata 1 (April 2021), (API Std 2350); IBR approved for § 195.428(c).

(23) API Standard 2510, Design and Construction of LPG Installations, 9th Edition, August 2020, (API Std 2510); IBR approved for §§ 195.132(b); 195.205(b); 195.264(b) and (e); 195.307(e); 195.428(c); 195.432(c).

(c) American Society of Mechanical Engineers (ASME), Two Park Avenue, New York, NY 10016; phone: (800) 843–2763 (U.S/Canada); website: *www.asme.org/.*

(1) ASME/ANSI B16.9–2007, Factory-Made Wrought Buttwelding Fittings, December 7, 2007, (ASME/ANSI B16.9); IBR approved for § 195.118(a).

(2) ASME/ANSI B31G–1991 (Reaffirmed 2004), Manual for Determining the Remaining Strength of Corroded Pipelines, 2004, (ASME/ANSI B31G); IBR approved for §§ 195.452(h); 195.587; 195.588(c).

(3) ASME B31.4–2019, Pipeline Transportation Systems for Liquids and Slurries: ASME Code for Pressure Piping, B31, issued November 1, 2019, (ASME B31.4); IBR approved for § 195.110(a).

(4) ASME B31.8–2018, Gas Transmission and Distribution Piping Systems, Issued November 20, 2018, (ASME B31.8); IBR approved for §§ 195.5(a); 195.406(a).

(5) ASME Boiler & Pressure Vessel Code, Section VIII, Division 1, Rules for Construction of Pressure Vessels, 2007 edition, July 1, 2007, (ASME BPVC, Section VIII, Division 1); IBR approved for §§ 195.124; 195.307(e).

(6) ASME Boiler & Pressure Vessel Code, Section VIII, Division 2, Alternate Rules, Rules for Construction of Pressure Vessels, 2007 edition, July 1, 2007, (ASME BPVC, Section VIII, Division 2); IBR approved for § 195.307(e).

(7) ASME Boiler & Pressure Vessel Code, Section IX: Qualification Standard for Welding and Brazing Procedures, Welders, Brazers, and Welding and Brazing Operators, 2007 edition, July 1, 2007, (ASME BPVC, Section IX); IBR approved for § 195.222(a).

(d) American Society for Nondestructive Testing (ASNT), 1201 Dublin Road, Suite #G04, Columbus, OH 43215; phone: (800) 222–2768; website: *www.asnt.org.*

(1) ANSI/ASNT ILI–PQ–2017, In-line Inspection Personnel Qualification and Certification, 2017 Edition, approved December 12, 2017, (ASNT ILI–PQ); IBR approved for § 195.591.

(2) [Reserved]

(e) Association for Material Protection and Performance (AMPP) (formerly NACE), 1440 South Creek Drive, Houston, TX 77084; phone: (281) 228–6223 or (800) 797–6223; website: *www.ampp.org/.*

(1) NACE SP0102–2017, In-Line Inspection of Pipelines, March 10, 2017,

(NACE SP0102); IBR approved for §§ 195.120(a); 195.591.

(2) NACE SP0169–2007, Standard Practice, Control of External Corrosion on Underground or Submerged Metallic Piping Systems, reaffirmed March 15, 2007, (NACE SP0169), IBR approved for §§ 195.571; 195.573(a).

(3) NACE SP0204–2015, Stress Corrosion Cracking (SCC) Direct Assessment Methodology, Revised March 14, 2015, (NACE SP0204); IBR approved for § 195.588(c).

(4) ANSI/NACE SP0502–2010, Pipeline External Corrosion Direct Assessment Methodology, revised June 24, 2010, (NACE SP0502); IBR approved for § 195.588(b).

(f) ASTM International, 100 Barr Harbor Drive, P.O. Box C700, West Conshohocken, PA 19428; phone: (610) 832–9585; website: *www.astm.org/.*

(1) ASTM A53/A53M–22, Standard Specification for Pipe, Steel, Black and Hot-Dipped, Zinc-Coated, Welded and Seamless, approved July 1, 2022, (ASTM A53/A53M); IBR approved for § 195.106(e).

(2) ASTM A106/A106M–19A, Standard Specification for Seamless Carbon Steel Pipe for High-Temperature Service, approved November 1, 2019, (ASTM A106/A106M); IBR approved for § 195.106(e).

(3) ASTM A333/A333M–18, Standard Specification for Seamless and Welded Steel Pipe for Low-Temperature Service and Other Applications with Required Notch Toughness, approved November 1, 2018, (ASTM A333/A333M); IBR approved for § 195.106(e).

(4) ASTM A381/A381M–23, Standard Specification for Metal-Arc-Welded Carbon or High-Strength Low-alloy Steel Pipe for Use With High-Pressure Transmission Systems, approved November 1, 2023, (ASTM A381/A381M); IBR approved for § 195.106(e).

(5) ASTM A671/A671M–20, Standard Specification for Electric-Fusion-Welded Steel Pipe for Atmospheric and Lower Temperatures, approved March 1, 2020, (ASTM A671/A671M); IBR approved for § 195.106(e).

(6) ASTM A672/A672M–19, Standard Specification for Electric-Fusion-Welded Steel Pipe for High-Pressure Service at Moderate Temperatures, approved November 1, 2019, (ASTM A672/672M); IBR approved for § 195.106(e).

(7) ASTM A691/A691M–19, Standard Specification for Carbon and Alloy Steel Pipe, Electric-Fusion-Welded for High-Pressure Service at High Temperatures, approved November 1, 2019, (ASTM A691/A691M); IBR approved for § 195.106(e).

(g) Manufacturers Standardization Society of the Valve and Fittings Industry, Inc. (MSS), 127 Park St. NE, Vienna, VA 22180; phone: (703) 281–6613; website: *www.mss-hq.org/.*

(1) MSS SP–75–2019 Standard Practice, High-Strength, Wrought, Butt-Welding Fittings, published December 2019, (MSS SP–75); IBR approved for § 195.118(a).

(2) [Reserved]

(h) National Fire Protection Association (NFPA), 1 Batterymarch Park, Quincy, MA 02169; phone: (800) 344–3555; website: *www.nfpa.org/.*

(1) NFPA 30, Flammable and Combustible Liquids Code, 2021 Edition, effective August 31, 2020; IBR approved for § 195.264(b).

(2) [Reserved]

(i) Pipeline Research Council International, Inc. (PRCI), 15059 Conference Center Drive Suite 130, Chantilly, VA 20151; phone: (703) 205–1600; website: *www.prci.org.*

(1) AGA Pipeline Research Committee, Project PR–3–805, A Modified Criterion for Evaluating the Remaining Strength of Corroded Pipe, December 22, 1989, (PR–3–805 (RSTRENG)); IBR approved for §§ 195.452(h); 195.587; 195.588(c).

(2) [Reserved]

§ 195.54 [Amended]

■ 20. Amend § 195.54 by removing the text ''on DOT Form 7000–1'' wherever it appears and adding, in its place, the text ''on DOT Form 7000–1 or 7000–2, whichever is applicable''.

■ 21. Amend § 195.110 by revising paragraph (a) to read as follows:

§ 195.110 External loads.

(a) Anticipated external loads (*e.g.,* earthquakes, vibration, thermal expansion, and contraction) must be provided for in a pipeline system's design. Sections 401, 402, 403.3, and 403.9 of ASME B31.4 (incorporated by reference, *see* § 195.3) must be followed to provide for expansion and flexibility.

* * * * *

§ 195.264 [Amended]

■ 22. In § 195.264, amend paragraph (b)(1) introductory text by removing the text ''NFPA–30'' and adding, in its place, the text ''NFPA 30''.

■ 23. In § 195.307:

■ a. Amend paragraph (a) by removing the text ''12 F'' and adding, in its place, the text ''12F'';

■ b. Amend paragraph (d) by removing the text ''12 C'' and adding, in its place, the text ''12C''; and

■ c. Revise paragraph (e).

The revision reads as follows:

§ 195.307 Pressure testing aboveground breakout tanks.

* * * * *

(e) For aboveground breakout tanks built to API Std 2510 (incorporated by reference elsewhere in this part, see § 195.3) and first placed in service after October 2, 2000, pressure testing must be performed in accordance with ASME BPVC, Section VIII, Division 1 and ASME BPVC, Section VIII, Division 2 (both incorporated by reference, see § 195.3).

■ 24. Revise § 195.591 to read as follows:

§ 195.591 In-Line inspection of pipelines.

When conducting in-line inspection of pipelines required by this part, each operator must comply with the requirements and recommendations of API Std 1163, ASNT ILI–PQ, and NACE SP0102 (all incorporated by reference, see § 195.3). An in-line inspection may also be conducted using tethered or remote-control tools provided they generally comply with those sections of NACE SP0102 that are applicable.

Issued in Washington, DC, on August 18, 2025, under authority delegated in 49 CFR 1.97.

Benjamin D. Kochman,

Deputy Administrator.

[FR Doc. 2025–15988 Filed 8–20–25; 8:45 am]

BILLING CODE 4910–60–P

Proposed Rules

Federal Register
Vol. 90, No. 160
Thursday, August 21, 2025

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

FEDERAL DEPOSIT INSURANCE CORPORATION

12 CFR Part 328

RIN 3064–AG14

FDIC Official Signs, Advertisement of Membership, False Advertising, Misrepresentation of Insured Status, and Misuse of the FDIC's Name or Logo

AGENCY: Federal Deposit Insurance Corporation.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Federal Deposit Insurance Corporation (FDIC) is seeking comment on a proposal that would amend signage requirements for insured depository institutions' (IDIs) digital deposit-taking channels and automated teller machines (ATMs) and like devices. The proposed changes are intended to address implementation issues and sources of potential confusion that have arisen following the adoption of current signage requirements for these banking channels. The proposal would provide additional flexibility to IDIs while also enabling consumers to better understand when they are conducting business with an IDI and when their funds are protected by the FDIC's deposit insurance coverage.

DATES: Comments must be received by the FDIC no later than October 20, 2025.

ADDRESSES: You may submit comments, identified by RIN 3064–AG14, by any of the following methods:

- *FDIC Website: https://www.fdic.gov/federal-register-publications.* Follow instructions for submitting comments on the agency website.
- *Email: Comments@fdic.gov.* Include RIN 3064–AG14 in the subject line of the message.
- *Mail:* Jennifer M. Jones, Deputy Executive Secretary, Attention: Comments—RIN 3064–AG14, Federal Deposit Insurance Corporation, 550 17th Street NW, Washington, DC 20429.
- *Hand Delivery to FDIC:* Comments may be hand-delivered to the guard station at the rear of the 550 17th Street NW building (located on F Street) on business days between 7 a.m. and 5 p.m.
- *Public Inspection:* Comments received, including any personal information provided, may be posted without change to *https://www.fdic.gov/federal-register-publications.* Commenters should submit only information that the commenter wishes to make available publicly. The FDIC may review, redact, or refrain from posting all or any portion of any comment that it may deem to be inappropriate for publication, such as irrelevant or obscene material. The FDIC may post only a single representative example of identical or substantially identical comments, and in such cases will generally identify the number of identical or substantially identical comments represented by the posted example. All comments that have been redacted, as well as those that have not been posted, that contain comments on the merits of the proposed rule will be retained in the public comment file and will be considered as required under all applicable laws. All comments may be accessible under the Freedom of Information Act.

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

This proposal, all comments received, and a summary of not more than 100 words of the proposed rule pursuant to the Providing Accountability Through Transparency Act of 2023 are available at *https://www.fdic.gov/resources/regulations/federal-register-publications/.*

FOR FURTHER INFORMATION CONTACT: Division of Depositor and Consumer Protection: Monika Jansen, Senior Policy Analyst, (202) 898–6781, *MoJansen@fdic.gov;* Edward Hof, Senior Policy Analyst, (202) 898–7213, *EdwHof@fdic.gov;* Meron Wondwosen, Assistant Director, (202) 898–3544, *MeWondwosen@fdic.gov;* Legal Division: Chantal Hernandez, Counsel, (202) 898–6678, *ChHernandez@fdic.gov;* Nathan Raygor, Senior Attorney, (202) 898–8688, *NRaygor@fdic.gov;* Shane Bogusz, Attorney, (571) 366–0212, *SBogusz@fdic.gov.*

SUPPLEMENTARY INFORMATION:

I. Policy Objectives

On December 20, 2023, the FDIC adopted a final rule that, among other things, amended the FDIC's sign and advertisement of membership regulations under subpart A of 12 CFR part 328 (the 2023 Final Rule).[1] In that final rule, the FDIC stated that it was seeking to bring the certainty and confidence historically provided by the FDIC official sign found at banks' teller windows to other banking channels used by consumers in the modern banking landscape.[2] Under the 2023 Final Rule, the FDIC established sign requirements across all banking channels (physical premises, digital deposit-taking channels, and ATMs and like devices). The FDIC further stated that it intended for the new signage requirements to better align with how depositors conduct business with IDIs today and to help inform consumers when their funds are FDIC-insured.[3] The 2023 Final Rule requirements intended to more clearly distinguish deposit products (in which depositors' funds are insured) from non-deposit products and to help consumers distinguish IDIs from non-banks in the digital age.[4] Moreover, as explained in the 2023 Final Rule, the FDIC intended to permit flexibility for IDIs and other firms in the marketing of their products and services.[5]

Under this proposed rulemaking, the FDIC seeks to minimize identified implementation issues, reduce burden, and address potential consumer confusion with respect to signage requirements for digital deposit-taking channels and ATMs and like devices. In particular, the FDIC proposes to amend signage requirements in 12 CFR 328.4 and 328.5. The FDIC is not proposing substantive amendments to other provisions under 12 CFR part 328.

II. Background

A. Statutory Authority and FDIC Regulations

The FDIC maintains stability and public confidence in the nation's financial system by, among other things, insuring the deposits of all IDIs. Section 18(a) of the Federal Deposit Insurance

[1] 89 FR 3504 (Jan. 18, 2024).
[2] *Id.*
[3] *Id.*
[4] 89 FR 3504.
[5] 89 FR 3504.

Act (FDI Act)[6] governs IDI sign and advertising statement requirements and grants the FDIC authority to prescribe regulations with respect to these requirements. The regulations implementing signage and advertisement requirements are contained in §§ 328.0 through 328.8 of subpart A of 12 CFR part 328 (subpart A). Subpart A applies to IDIs, including insured branches of foreign banks.

In addition, section 18(a)(4) of the FDI Act[7] prohibits any person from misusing the name or logo of the FDIC or from engaging in false advertising or making knowing misrepresentations about deposit insurance. Regulations governing these prohibitions are contained in §§ 328.100 through 328.109 of subpart B of 12 CFR part 328.

B. Previous Rulemaking

In the 2023 Final Rule, the FDIC updated signage requirements to apply across all banking channels to account for how depositors conduct business with IDIs in the modern banking landscape; namely the increasing use of digital channels and new services provided by ATMs and like devices. In particular, in the 2023 Final Rule, the FDIC established an FDIC official digital sign.[8] The FDIC's rules require IDIs to display that sign on certain pages of its digital deposit-taking channels and ATMs and like devices.[9] Moreover, the FDIC requires IDIs to display non-deposit signage to differentiate insured deposits from non-deposit products on digital deposit-taking channels and ATMs and like devices.[10] As stated in the 2023 Final Rule, the FDIC intended for IDIs' use of the FDIC official digital sign and non-deposit signage to help consumers better understand when consumers are conducting business with an IDI and when their funds are FDIC-insured.

The amendments made in the 2023 Final Rule took effect on April 1, 2024; however, full compliance with the amendments was not required until January 1, 2025, to provide additional opportunity for IDIs to establish processes and systems and make technological updates necessary to implement the new regulatory requirements.[11] Based upon feedback from IDIs and other industry participants, in October 2024, the FDIC delayed the compliance date for the subpart A amendments to May 1, 2025, to provide additional time for IDIs to put in place processes and systems and make technological updates.[12]

In March 2025, the FDIC delayed the compliance date for 12 CFR 328.5, which governs signage requirements for digital deposit-taking channels, and the compliance date for 12 CFR 328.4, which includes analogous requirements related to an IDI's ATMs and like devices, from May 1, 2025 to March 1, 2026.[13] The delay was intended to allow the FDIC to propose changes to the regulation for public comment to address implementation concerns and potential sources of confusion regarding the requirements.[14]

C. Need for Rulemaking

Since the 2023 Final Rule was adopted, the FDIC has observed that, in practice, certain requirements may raise operational challenges for IDIs or result in consumer confusion. Following the adoption of the 2023 Final Rule, FDIC staff met with various stakeholders to discuss questions and concerns relating to the rule's requirements.

In particular, stakeholders identified challenges with implementing the display of the FDIC official digital and non-deposit signage on required pages and screens for digital deposit-taking channels, ATMs, and like devices. Some stakeholders stated that the signage requirements were ''overly prescriptive'' and ''technical,'' especially as to the specifications of the FDIC official digital sign. Additionally, some stakeholders stated that IDIs would benefit from additional flexibility in displaying the FDIC official digital sign on pages and screens where space is limited, particularly with respect to mobile banking.

Stakeholders also explained the difficulty in providing appropriate disclosures for customers moving to third-party websites or making certain transfers of funds between different accounts. Moreover, some stakeholders raised concerns that the signage requirements may cause consumers confusion when insured products are listed or advertised on the same page as non-deposit products, potentially leaving consumers unsure which products are FDIC-insured deposit products. These implementation challenges informed the FDIC's decision to twice delay the compliance date for the amended signage requirements for digital deposit-taking channels and ATMs and like devices. As part of the March 2025 delay of the compliance date, the FDIC stated its intention to propose changes for public comment.[15]

To address concerns and challenges raised by stakeholders, the FDIC is proposing to clarify and provide greater flexibility with respect to the requirements regarding the (1) FDIC official digital sign design; (2) display of signage on digital deposit-taking channels; and (3) display of signage on ATMs and like devices. The FDIC believes the proposed amendments would advance the FDIC's policy objectives of helping consumers to better understand when they are doing business with an IDI and when their funds are FDIC-insured. The proposed amendments are described in greater detail below.

III. Description of the Proposed Rule

A. FDIC Official Digital Sign Design Requirements

Section 328.5(b) sets forth requirements for the design of the FDIC official digital sign. Those requirements include specific text, color, font, and size requirements, such as specific hexadecimal color codes and wordmark sizes. The FDIC's rules provide some flexibility for cases in which the required colors would be illegible due to the color of the background on a digital deposit-taking channel. In such cases, the FDIC's rules allow for the digital sign to be displayed in white (hexadecimal color code #FFFFFF).

Since the publication of the 2023 Final Rule, the FDIC has received questions about the design of the FDIC official digital sign. Some industry stakeholders asked whether there is any flexibility with respect to the color codes and font sizes, stating that the prescriptive design standards may become obsolete and that even slight variations from the specifications may result in noncompliance. Other questioners noted implementation challenges if a digital deposit-taking channel was not designed to use the specified color and size standards or if a digital deposit-taking channel offered multiple viewing settings, such as ''dark mode.'' As stated in the preamble to the 2023 Final Rule, the FDIC continues to believe that an easily recognizable, consistent FDIC official digital sign conveys the certainty and confidence historically provided by the physical FDIC official sign at banks' teller windows.[16] The FDIC also, however,

[6] 12 U.S.C. 1828(a)(1).

[7] 12 U.S.C. 1828(a)(4).

[8] 12 CFR 328.5(b).

[9] *See* 12 CFR 328.4(c) and (e) and 328.5(d).

[10] *See* 12 CFR 328.4(d) and 328.5(g).

[11] *See* 89 FR 3504, 3507 (Jan. 18, 2024).

[12] *See* 89 FR 84261 (Oct. 22, 2024). The compliance date for amendments to subpart B remained January 1, 2025.

[13] *See id.* Compliance with all other subpart A amendments was generally required by May 1, 2025.

[14] *See id.*

[15] *See* 90 FR 11659 (Mar. 11, 2025).

[16] 89 FR 3511 (Jan. 18, 2024).

appreciates that design standards requiring specific color and font codes can present challenges for IDIs and may be overly prescriptive with respect to the policy goal.

Under the proposal, IDIs would have additional flexibility with respect to the color, font, and size that IDIs may use when displaying the FDIC official digital sign. While the proposed rule would still require the FDIC official digital sign to be displayed in either a combination of navy blue and black text or all-white text, the proposed rule would no longer prescribe specific hexadecimal color codes. The proposed rule would also no longer require a specific pixel size for the text in the FDIC official digital sign. In addition, the proposed rule would provide additional flexibility by allowing the font used for the FDIC official digital sign to be Source Sans Pro Web or a similar font. Finally, the proposed rule would eliminate font size requirements for the text of the FDIC official digital sign. Although the proposed rule would no longer provide for a specific font size, the FDIC official digital sign would have to be displayed in a clear and conspicuous manner, which would ensure its legibility. The FDIC notes that 12 CFR part 328 does not supersede or alter any other requirements that may apply to IDIs, including any requirements to comply with digital accessibility rules.

The proposed rule would also expressly permit IDIs to ''wrap'' the text of the FDIC official digital sign to address space constraints. In response to questions about whether any of the text in the FDIC official digital sign may be wrapped to better fit certain channels, such as mobile device applications, the FDIC provided guidance in ''Questions and Answers Related to the FDIC's Part 328 Final Rule'' [17] (Q&As). The Q&As stated that, in general, the FDIC official digital sign should be presented as shown in the 2023 Final Rule, but if the image does not fit a particular device or screen, the text of the FDIC official digital sign may be wrapped to fit the relevant screen.[18] The proposed rule would adopt the standard discussed in the Q&As regarding text wrapping.

[17] ''Questions and Answers Related to the FDIC's Part 328 Final Rule'' (July 15, 2024), II.A.6., *available at: https://www.fdic.gov/deposit-insurance/questions-and-answers-related-fdics-part-328-final-rule.*

[18] *See id.*

B. Signage Requirements for IDIs' Digital Deposit-Taking Channels

1. FDIC Official Digital Sign Requirements for Digital Deposit-Taking Channels

The FDIC is also proposing to more appropriately focus the display of the FDIC official digital sign on digital deposit-taking channel pages and screens that are most relevant for consumers. Section 328.5(d) requires IDIs to display the FDIC official digital sign on an IDI's digital deposit-taking channel's initial page or homepage of the website or application; landing or login pages; and pages where the customer may transact with deposits. Following the adoption of the 2023 Final Rule, IDIs and other industry stakeholders raised questions and concerns with implementing these requirements, particularly with respect to ''landing pages'' and ''pages where the customer may transact with deposits.''

a. Proposed Removal of Landing Page Requirement

The FDIC received feedback that ''landing page'' is not a term commonly used by IDIs with respect to IDIs' banking websites and applications, and industry stakeholders requested further clarification on the FDIC's intent. The FDIC recognizes that the term ''landing page'' is duplicative of ''login page,'' which is a term that is commonly understood and covers the same intended types of pages and screens. For this reason, the FDIC is proposing to remove the requirement to display the FDIC official digital sign on an IDI's ''landing page'' while retaining the requirement for IDIs to display the FDIC official digital sign on the ''login page'' of an IDI's digital deposit-taking channel.

b. Proposed Change to Pages Where the Customer May Transact With Deposits

With respect to the requirement to display the FDIC official digital sign on ''pages where the customer may transact with deposits,'' IDIs and other stakeholders requested clarification on which pages and screens are included for purposes of this requirement. Several IDIs informed the FDIC of technical challenges in implementing the requirements on ''transact with deposits'' pages. Such difficulties may arise when customizing transaction screens to provide for the display of the FDIC official digital sign in instances where the page (*e.g.,* a transfer page) lists a customer's non-deposit account (*e.g.,* investment account) as well as the customer's deposit account (*e.g.,* checking account). Some IDIs and other stakeholders also raised concerns that customers may mistakenly believe that the FDIC official digital sign implies that FDIC insurance protects against erroneous or fraudulent transfers or that non-deposit products are FDIC-insured when the FDIC official sign is required on pages that also include non-deposit products.

The FDIC appreciates the technical challenges and potential for consumer confusion and is proposing to remove the requirement to display the FDIC official digital sign on ''pages where the customer may transact with deposits.'' The FDIC is proposing instead to require IDIs to display the FDIC official digital sign on the IDI's digital deposit-taking channels' page or screen where the consumer initiates a deposit account opening. The FDIC believes that displaying the FDIC official digital sign at the deposit account opening stage would provide a consumer with information regarding the insurability of funds held in the account so that the consumer may make an informed decision when opening a deposit account.

2. Static Non-Deposit Signage Requirements for Digital Deposit-Taking Channels

The proposed rule would narrow the required digital deposit-taking channel pages and screens on which IDIs must display non-deposit signage. Section 328.5(g)(1) requires IDIs to clearly, continuously, and conspicuously display non-deposit signage ''on each page relating to non-deposit products'' that indicates that non-deposit products: are not insured by the FDIC; are not deposits; and may lose value.

Some IDIs and other industry stakeholders raised questions and concerns with respect to this requirement. For example, some IDIs requested clarification as to the meaning of a page ''relating'' to non-deposit products and whether this term includes pages and screens with incidental references to non-deposit products, such as an IDI's homepage, or if references to non-deposit products in navigation menus or tabs would trigger the requirement. The FDIC also recognizes that display of the non-deposit sign may confuse consumers as to which products are FDIC-insured and not insured, particularly when both the FDIC official digital sign and non-deposit sign are displayed on the same page with references to both FDIC-insured deposit products and non-deposit products.

To address the questions and concerns raised, the proposed rule

would more appropriately target display of the non-deposit sign. In particular, the proposed rule would require the display of non-deposit signage only on pages and screens that are primarily dedicated to one or more non-deposit products. The proposal would require non-deposit signage on pages and screens that offer or provide substantive information on one or more non-deposit products. For example, an IDI would be required to display non-deposit signage on the IDI's website page providing detailed information on annuities or pages where a consumer could purchase a non-deposit product. With this proposed change, IDIs would not be required to display non-deposit signage on pages or screens with incidental references to non-deposit products, such as the homepage or on the navigation menu that references non-deposit product pages.

3. Clear, Continuous, and Conspicuous Display

The proposed rule would continue to require IDIs to clearly, continuously, and conspicuously display the FDIC official digital sign and non-deposit signage on relevant pages. Following adoption of the 2023 Final Rule, many IDIs and other stakeholders requested clarification on where signage could be placed to meet the clear, continuous, and conspicuous standard. The proposed rule would provide IDIs with flexibility in meeting this standard given the unique designs of IDIs' websites and applications, as well as space constraints for smaller screens. The FDIC also recognizes additional clarification regarding this standard could be helpful for IDIs in implementing 12 CFR part 328's requirements. Accordingly, the proposed rule would provide a non-exhaustive list of examples on various placements of the FDIC official digital sign and non-deposit signage that would meet the clear, continuous, and conspicuous standard for IDIs' digital deposit-taking channels.

4. One-Time Notification for Bank Customers Related to Third-Party Non-Deposit Products

The FDIC is proposing to amend the requirement that an IDI provide a one-time notification to customers accessing third-party non-deposit products through an IDI's digital deposit-taking channel. Section 328.5(g)(2) requires IDIs to display a one-time notification when a bank customer logged into an IDI's digital deposit-taking channel attempts to access non-deposit products through a hyperlink (or similar web-linking feature) to a non-bank third-party platform. The FDIC's rules require the one-time notification to clearly and conspicuously indicate that the non-deposit products: are not insured by the FDIC; are not deposits; and may lose value. The FDIC's rules further require that a bank customer must dismiss the one-time notification before initially accessing the third-party's platform.

The FDIC received feedback from IDIs and other industry participants concerning the one-time notification requirement. IDIs cited operational challenges in implementing the one-time notification requirement, as well as concerns that the notification would be disruptive and would degrade the user experience for IDI customers.

The FDIC proposes to retain the requirement of a one-time notification when moving from an IDI to a non-bank and from an FDIC-insured deposit area to a non-deposit area. However, the proposal would provide IDIs additional flexibility with respect to the one-time notification requirement. Under the proposed rule, IDIs would be required to provide a notification that must be either dismissed by an act of the customer or dismissed automatically after the customer has been provided a reasonable opportunity to read the notification's content. For purposes of this requirement, a reasonable opportunity would constitute a period of time no less than three seconds.

Consistent with historical interpretations,[19] the FDIC would view affiliated entities as ''third parties'' for purposes of the one-time notification requirement. As such, IDIs would be required to display the one-time notification when customers access affiliated third-party non-deposit products through an IDI's digital deposit-taking channel. The proposal would also make non-substantive organizational changes to the regulatory text of the one-time notification requirement.

C. Signage Requirements for ATMs and Like Devices

1. FDIC Official Digital Sign Requirements for ATMs and Like Devices

The FDIC is proposing to amend 12 CFR 328.4(c) to provide IDIs with additional flexibility in displaying the FDIC official digital sign on ATMs and like devices. Under 12 CFR 328.4(c), for ATMs that receive deposits and offer access to non-deposit products, IDIs are required to display the FDIC official digital sign clearly, continuously, and conspicuously on an ATM or like device's ''home page or screen and on each transaction page or screen relating to deposits.''

A number of IDIs and other stakeholders contacted the FDIC with questions regarding the implementation of this requirement, particularly in relation to the requirement to display the digital sign on ''each transaction page or screen relating to deposits.'' IDIs also expressed concern that consumers could be confused if the FDIC official digital sign were displayed on pages that contained information about both insured and uninsured accounts or products. IDIs further highlighted that, as with the transaction page requirement for digital deposit-taking channels, displaying the FDIC official digital sign on transfer pages may be challenging or unfeasible if the IDI operating the ATM cannot determine the insured status of funds sent to recipient institution accounts.

The proposal aims to simplify compliance for IDIs and mitigate potential consumer confusion by requiring the display of the FDIC official digital sign only on the initial screen of an IDI's ATM or like device. For purposes of this proposed requirement, an ATM's ''initial screen'' is the screen that is displayed before an IDI's customer inserts a debit card or other credentials to access the device (sometimes referred to as a ''welcome screen''). This simplified requirement would continue to help ensure that consumers are informed when consumers are doing business with an IDI, while providing greater certainty for IDIs as to which ATM pages or screens would require display of the FDIC official digital sign.

2. Limited Exception for Certain ATMs and Like Devices To Display Physical FDIC Official Sign

The FDIC is proposing to expand an alternative to the FDIC official digital sign requirement for certain ATMs and like devices. Section 328.4 provides a limited exception to the FDIC official digital sign requirement for ATMs and like devices that do not offer non-deposit products and were placed into service prior to January 1, 2025, permitting such devices to display either the FDIC official digital sign or the physical FDIC official sign.[20]

Since issuing the 2023 Final Rule, the FDIC has received a range of questions from IDIs concerning the availability of the physical FDIC official sign exception for existing ATMs and like devices. The FDIC understands that there are costs associated with updating ATMs and like

[19] *See, e.g.,* 88 FR 37920 (June 9, 2023); FIL–9–94 (Feb. 17, 1994).

[20] *See* 12 CFR 328.4(b) and (e).

devices that have already been placed into service to comply with new signage requirements. The FDIC also believes that the physical FDIC official sign provides sufficient assurance and clarity to consumers regarding the insured status of deposits at (1) existing ATMs and like devices and (2) ATMs and like devices that do not offer non-deposit products. To that end, the FDIC is proposing to expand the physical sign exception to a wider range of ATMs and like devices, giving IDIs greater flexibility to display either the physical FDIC official sign or the FDIC official digital sign on those devices. Specifically, under the proposal, this physical signage exception would be available to (1) all ATMs and like devices placed into service prior to January 1, 2027, and (2) all ATMs and like devices, regardless of when placed into service, that do not allow customers to transact with non-deposit products.

3. Degraded or Defaced Physical FDIC Official Signs

Section 328.4(f) provides that a degraded or defaced physical FDIC official sign on ATMs and like devices would not be considered to be displayed in a clear and conspicuous manner, as its display would be of little or no benefit to consumers. The FDIC proposes removing this provision. The FDIC believes this provision is not needed because an institution is required to clearly and conspicuously display the sign, and if the sign is not clear to consumers, the institution would not be displaying it clearly.

4. Non-Deposit Signage

Section 328.4(d) requires ATMs that receive deposits for an IDI and offer access to non-deposit products to clearly, continuously, and conspicuously display non-deposit signage ''on each transaction page or screen relating to non-deposit products.'' Such non-deposit signage must indicate that non-deposit products are not insured by the FDIC; are not deposits; and may lose value. The FDIC has received feedback that the 2023 Final Rule's non-deposit signage requirements for ATMs and like devices are overly broad and repetitive, as IDIs are required to display the non-deposit sign on each page within a single non-deposit transaction. In recognition of this and other considerations, the proposed rule would modify the non-deposit signage requirements for ATMs and like devices in two respects.

First, under the proposal, a narrower subset of ATMs and like devices would be subject to the non-deposit signage requirements. While the 2023 Final Rule's non-deposit signage requirements apply to an ATM or like device if it receives deposits for an IDI and offers access to non-deposit products, the proposal would apply to ATMs or like devices that receive deposits for an IDI and permit IDI customers to transact with one or more non-deposit products. This change would remove ATMs and like devices from the scope of the non-deposit signage requirements if, for example, they merely permit customers to view account balances for non-deposit products. Moreover, an IDI would only be required to display non-deposit signage for the IDI's own customers. The FDIC acknowledges the technical limitations IDIs face in verifying information for customers of other financial institutions using the IDI's ATMs and like devices (referred to as ''non-customers''), including whether the non-customer is accessing FDIC-insured deposit accounts or non-deposit products. The proposed rule would not require IDIs to display non-deposit signage for pages and screens viewed by non-customers.

Second, the proposed rule would require the display of non-deposit signage on fewer pages and screens, reflecting a more focused approach. Although the 2023 Final Rule required non-deposit signage to be displayed on each transaction page or screen relating to non-deposit products, the proposal would require non-deposit signage to appear only on the initial transaction page or screen for a non-deposit product. This change would simplify IDIs' compliance with the non-deposit signage requirement while ensuring that signage continues to be displayed where it is most relevant to consumers: the first screen displayed upon beginning a transaction with a non-deposit product.

These changes would focus the non-deposit signage requirements on devices and screens that provide the disclosures to consumers at the most appropriate place and time.

D. Compliance Date

The FDIC acknowledges that some IDIs are currently displaying signage on their digital deposit-taking channels and ATMs and like devices consistent with the 2023 Final Rule, while other IDIs are not displaying signage as permitted under the delayed compliance date period. The FDIC recognizes that all IDIs will need time to update systems and processes to implement changes in compliance with the proposed amendments. Accordingly, the FDIC proposes the compliance date of January 1, 2027. If the FDIC adopts a final rule amending the existing regulation, the FDIC would also review any associated Q&As published on the FDIC website as warranted based on the specific revisions adopted.

E. Technical Amendment

The FDIC also proposes to make a technical amendment to 12 CFR part 328. Section 328.5(c) currently provides for a ''digital symbol'' that is defined as the portion of the FDIC official digital sign ''consisting of 'FDIC' and the one line of smaller type to the right of 'FDIC'.'' While this provision defining the digital symbol is located in subpart A of 12 CFR part 328, 12 CFR part 328 discusses the use of the digital symbol only in subpart B, which addresses false advertising, misrepresentation of insured status, and misuse of the FDIC's name or logo. Given that the digital symbol concept applies specifically to the context of subpart B, the proposed rule would implement a technical amendment to transfer the text providing for, and defining, the digital symbol to 12 CFR 328.101 of subpart B. This non-substantive change would promote readability by ensuring that the definition is physically located in the relevant subpart of the regulation.

IV. Expected Effects

The proposed changes to 12 CFR part 328.4 and 328.5 are intended to clarify the requirements for the display of the FDIC official digital sign and non-deposit signage, as well as clarify when such signage is required for ATMs and similar devices. These requirements apply to all IDIs. To the extent that some IDIs have not already implemented changes to their digital operations to comply with 12 CFR part 328.4 and 328.5, the proposed rule would reduce the number of hours spent to update their systems. The proposed rule would also reduce the number of hours spent by all IDIs to maintain ongoing compliance with 12 CFR part 328.4 and 328.5. Given this decrease in burden, the proposed changes are not expected to result in any substantive direct costs to impacted IDIs. Instead, they are expected to generate cost savings in the form of reduced administrative effort and resource allocation. In addition, the proposed rule would benefit IDIs' customers, who would have a more streamlined and clutter-free browsing experience.

A. Cost Savings: Implementation

If adopted, the proposed rule could benefit IDIs by reducing implementation costs such as labor costs to make changes to an IDI's IT systems, contracting costs to make changes to in-house or third-party IT systems, costs to upgrade hardware for ATMs and similar

devices, and labor costs to make changes to internal compliance policies and procedures. The cost savings that would result from the proposed rule vary by IDI depending on the size and complexity of their digital deposit-taking channels, the number of ATMs and like devices, and the degree to which IDIs rely on third-party service providers to provide these channels, ATMs or like devices. The FDIC does not have the information necessary to quantify all cost savings associated with the proposed rule. However, the FDIC believes that these benefits will be material for certain IDIs because stakeholders have, as previously discussed, identified related challenges with adopting certain provisions of 12 CFR part 328.

Although the FDIC cannot quantify all cost savings associated with the proposed rule, it has quantified certain estimated cost savings for IDIs associated with the changes to recordkeeping, reporting, and disclosure requirements for digital signage and non-deposit signage obligations. The FDIC recognizes that the cost estimates in the 2023 final rule may have understated the actual costs, and thus the estimated cost savings in this proposal may likewise understate the actual cost savings, but the FDIC is using the best estimates it has available.

As of this date, 4,471 IDIs are subject to 12 CFR part 328. As previously discussed, the proposed rule would pose two principal effects for affected IDIs. First, the proposal would reduce the number of digital screens or pages on which the FDIC official digital sign must appear. Second, the proposal would narrow certain non-deposit signage requirements. Based on these changes, the FDIC estimates an average reduction of 19 hours per IDI for implementation-related recordkeeping, reporting and disclosure activities only.[21] At an estimated average hourly labor cost of $118,[22] the proposed rule would result in cost savings of $2,242 per IDI, on average, in the implementation year prior to the compliance deadline for the proposed rule. Across 4,471 IDIs, the estimated effect is approximately $10 million in implementation cost savings.[23]

Although the 2023 Final Rule is already effective, compliance with 12 CFR 328.4 and 328.5 has been postponed until March 1, 2026.[24] However, some IDIs may have already taken steps to implement the 2023 Final Rule in anticipation of its original compliance deadline of January 1, 2025, or its revised compliance deadline of March 1, 2026. As a result, these IDIs may not realize full cost savings from the proposed changes. In some cases, they may even incur voluntary costs to reverse or modify signage or systems that are no longer required under the proposal. It is also possible that such IDIs will choose to maintain compliance with the broader requirements in the 2023 Final Rule and therefore avoid any reversal costs. For purposes of this analysis, the FDIC assumes that all IDIs would experience cost savings generated by the proposed rule and estimate the average cost savings for an IDI that has not yet taken steps to comply with current requirements under 12 CFR part 328.4 and 328.5.

While the quantified implementation cost savings may be relatively small, the unquantified implementation cost savings are likely to be material for some IDIs.

B. Cost Savings: Ongoing Compliance

In addition to reducing implementation burden in the period leading to the proposed amended compliance date, the proposed rule would generate ongoing compliance cost savings in subsequent years. IDIs typically incur recurring compliance costs to maintain, review, and update their signage and related systems in accordance with regulatory requirements. Further, ongoing compliance with FDIC signage requirements can be a factor in costs for third-party service agreements, hardware replacement, as well as validation and testing of service delivery channels. The FDIC does not have the information necessary to quantify all ongoing cost savings associated with the proposed rule. However, the proposed rule would reduce the scope of these ongoing activities and thereby generate associated cost savings for IDIs. As noted above, these savings will vary across IDIs, based on the size and complexity of their operations.

For purposes of this analysis, the FDIC has quantified ongoing cost savings for IDIs associated with the changes to recordkeeping, reporting, and disclosure requirements for digital signage and non-deposit signage obligations only. The FDIC categorizes IDIs by asset size as a proxy for the complexity of digital operations, consistent with the methodology used in the 2023 Final Rule: IDIs with less than $10 billion in assets and those with $10 billion or more. According to the latest Call Report data, there are 4,311 IDIs in the smaller IDI group and 160 in the larger.[25] The FDIC estimates that the proposed rule would reduce ongoing recordkeeping, reporting, and disclosure compliance labor hours for smaller IDIs by an average time savings of 3 hours and 10 minutes. For larger IDIs, the estimated time savings is 6 hours and 20 minutes annually.[26]

Using the same estimated average hourly labor cost of $118 as above, the estimated ongoing annual cost savings are approximately $374 per small IDI and $747 per large IDI, on average, for a total annual cost savings of approximately $1.6 million for smaller IDIs and approximately $120 thousand for larger IDIs. This yields a total estimated ongoing annual cost savings associated with changes to recordkeeping, reporting, and disclosure requirements of approximately $1.7 million across all FDIC-insured depository institutions.

C. Intangible Benefits and Costs

The proposed changes may also result in indirect or intangible effects that are more difficult to quantify.

In addition, the proposed rule would benefit consumers by improving their experience with IDIs' digital channels. For example, the proposed changes would allow IDIs to tailor digital signage placement to better meet the needs of the customer, resulting in more targeted and less duplicative disclosures. The elimination of the notification dismissal requirement would reduce interruptions to the browsing experience. The removal of the requirement to display the FDIC official digital sign on ''pages where the customer may transact with deposits'' would eliminate consumer confusion about which products are

[21] The 19 hours represent a 32 percent time savings from the 60 hours of implementation burden estimated in the 2023 Final Rule.

[22] To estimate the average hourly labor cost, the FDIC assumes that 17.5, 17.5, and 65 percent of the labor used to comply with the 2023 Final Rule would be by Managers/Executives (at $159.03 per hour), Compliance Officers (at $80.68 per hour), and IT professionals (at $116.37 per hour), respectively. The FDIC uses the 75th percentile hourly wages reported by the Bureau of Labor Statistics (BLS) National Industry-Specific Occupational Employment and Wage Estimates (OEWS) for the relevant occupations in the Depository Credit Intermediation sector as of May 2024. These wages were increased by 53 and 5 percent to account for non-wage compensation and wage inflation between May 2024 and March 2025.

[23] 19 hours × $118 per hour × 4,471 institutions = $10,023,982.

[24] See 90 FR 11659, published on March 11, 2025.

[25] Call Reports for the quarter ending March 31, 2025.

[26] The estimated time savings of 3 hours and 10 minutes for smaller IDIs and 6 hours and 20 minutes for larger IDIs are approximately 32 percent of the corresponding burdens estimated in the 2023 Final Rule and are proportionally in line with the estimated time savings for the implementation cost.

FDIC-insured when a page shows both deposit and non-deposit products. Overall, these proposed changes would lead to a more streamlined and less cluttered customer experience. The FDIC does not have the data available to quantify these effects but believes the proposed rule would provide substantial benefits to consumers of IDI's digital channels.

At the same time, the proposed changes may introduce some intangible costs. For example, reducing signage requirements could result in less visible or less consistent disclosure of deposit insurance coverage. IDIs that have already implemented changes to their digital operations to comply with 12 CFR part 328 may incur some costs to modify their systems in response to the proposed rule. More flexibility in how different institutions implement the requirements could potentially lead to greater variability in customer experience across the industry. The FDIC believes these effects will be minimal; under the proposed rule, 12 CFR part 328 would still require IDIs digital operations to provide clarity to consumers about the extent to which or the manner in which products are insured by the FDIC.

Finally, the timing of compliance may also influence intangible effects. Given the proposed extension of the compliance date until January 1, 2027, some institutions would benefit from increased flexibility in integrating the new requirements into ongoing system updates or signage cycles. However, a longer transition period may also lead to temporary inconsistencies in signage across institutions, which could affect customer experience to a limited extent.

The FDIC invites comments on all aspects of the supporting information provided in this Expected Effects section. The FDIC is particularly interested in comments on any significant benefits or costs that the agency has not identified.

V. Alternatives Considered

The FDIC has considered several alternatives to the proposed rule that could meet the objectives of this rulemaking, including proposals suggested by commenters in response to the 2023 Final Rule. For the reasons described, the FDIC views the proposed rule as the most appropriate and effective means of achieving its policy objectives with respect to 12 CFR part 328.

The FDIC considered not promulgating any regulatory action to amend 12 CFR part 328. However, as previously discussed, the FDIC has identified challenges with, and potential improvements for, the FDIC's sign and advertisement regulations under subpart A of 12 CFR part 328. As discussed in section IV, Expected Effects, of this document, the proposed rule has clear, quantifiable cost savings, among other benefits, over this no-action alternative with minimal costs to IDIs and their customers.

The FDIC also considered eliminating the regulations in 12 CFR 328.4 and 328.5 to remove digital signage requirements entirely. However, as described in the 2023 Final Rule, the FDIC believes there are benefits to updates to 12 CFR part 328 to address potential uncertainties that could dilute or undermine the confidence that underpins banks and our nation's broader financial system. The proposed rule would advance the 2023 Final Rule's objective to ensure that consumers, businesses, and other entities better understand when their funds are protected by FDIC deposit insurance, while increasing the flexibility for IDIs in the marketing of their products and services.

The FDIC invites comments on alternatives to the proposed rule.

VI. Regulatory Analysis

A. Regulatory Flexibility Act

The Regulatory Flexibility Act (RFA) generally requires an agency, in connection with a proposed rule, to prepare and make available for public comment an initial regulatory flexibility analysis that describes the impact of the proposed rule on small entities.[27] However, an initial regulatory flexibility analysis is not required if the agency certifies that the proposed rule will not, if promulgated, have a significant economic impact on a substantial number of small entities. The Small Business Administration (SBA) has defined ''small entities'' to include banking organizations with total assets of less than or equal to $850 million.[28] Generally, the FDIC considers a significant economic impact to be a quantified effect in excess of 5 percent of total annual salaries and benefits or 2.5 percent of total noninterest expenses. The FDIC believes that effects in excess of one or more of these thresholds typically represent significant economic impacts for FDIC-supervised institutions. For the reasons described below, the FDIC certifies that the proposed rule will not have a significant economic impact on a substantial number of small entities.

As described in section IV, Expected Effects, of this document, the proposed rule would affect all institutions whose deposits are insured by the FDIC. According to recent Call Reports, there are 4,471 such IDIs.[29] Of these, approximately 3,130 would be considered small entities for the purposes of the RFA (small entity IDIs).[30]

As a result of the proposed rule, IDIs with less than $10 billion in assets [31] would spend an estimated 19 fewer hours, on average, to update their digital operations in the first year in order to comply with the recordkeeping, reporting, and disclosure provision of the 2023 Final Rule. At average labor costs of $118 per hour,[32] the estimated first-year cost savings would be approximately $2,242 per IDI, or approximately $7 million for all small entity IDIs—less than a tenth of a percent of annual salaries and benefits for these 3,130 entities in aggregate. At the individual IDI level, the estimated first-year cost savings would not exceed even one percent of the total annual salaries and benefits for any small entity IDI. For subsequent years, the estimated costs savings are even smaller: an IDI with less than $10 billion in assets is expected to spend 3 hours and 10 minutes less (equivalent to $374) per year,[33] on average, to comply with the recordkeeping, reporting, and disclosure provisions within part 328 as a result of the proposed rule. Thus, the proposed

[27] 5 U.S.C. 601 *et seq.*

[28] The SBA defines a small banking organization as having $850 million or less in assets, where an organization's ''assets are determined by averaging the assets reported on its four quarterly financial statements for the preceding year.'' *See* 13 CFR 121.201 (as amended by 87 FR 69118, effective December 19, 2022). In its determination, the ''SBA counts the receipts, employees, or other measure of size of the concern whose size is at issue and all of its domestic and foreign affiliates.'' *See* 13 CFR 121.103. Following these regulations, the FDIC uses an insured depository institution's affiliated and acquired assets, averaged over the preceding four quarters, to determine whether the insured depository institution is ''small'' for the purposes of RFA.

[29] FDIC Call Reports, March 31, 2025.

[30] *Id.*

[31] All 3,130 small entity IDIs have less than $10 billion in assets.

[32] To estimate the average cost of compensation per hour, the FDIC assumes that approximately 17.5, 17.5, and 65 percent of the labor used to comply with the 2023 Final Rule would be by Managers/Executives (at $159.03 per hour), Compliance Officers (at $80.68 per hour), and IT professionals (at $116.37 per hour), respectively. The FDIC uses the 75th percentile hourly wages reported by the Bureau of Labor Statistics (BLS) National Industry-Specific Occupational Employment and Wage Estimates (OEWS) for the relevant occupations in the Depository Credit Intermediation sector as of May 2024. These wages were increased by approximately 53 and 5 percent to account for non-wage compensation and wage inflation between May 2024 and March 2025.

[33] $374 per year = 3:10 hours × $118 per hour.

rule is unlikely to significantly impact any small entity IDI.

The proposed rule would also provide benefits other than the cost savings described above, including greater flexibility in signage design and placement, improved customer experience, and reduced staff time allocated to maintaining signage compliance across multiple channels and devices. As noted in section IV, Expected Effects, of this document, the FDIC is unable to quantify these effects. However, the FDIC believes these effects, while potentially substantive for certain IDIs, are likely to be minimal in the aggregate.

Given the expected effects of the proposed rule described above, the FDIC certifies that the proposed rule would not have a significant economic impact on a substantial number of small entities.

The FDIC invites comments on all aspects of the supporting information provided in this RFA section. The FDIC is particularly interested in comments on any significant effects on small entities that the agency has not identified.

B. Paperwork Reduction Act

Certain provisions of the proposed rule contain ''collections of information'' within the meaning of the Paperwork Reduction Act (PRA) of 1995.[34] In accordance with the requirements of the PRA, the FDIC 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 information collections contained in the proposed rule have been submitted to OMB for review and approval by the FDIC under section 3507(d) of the PRA [35] and 5 CFR 1320.11 of OMB's implementing regulations.[36] The FDIC is proposing to extend for three years, with revision, these information collections.

Title of information Collection: FDIC's Official Sign and Advertising Requirements, False Advertising, Misrepresentation of Insured Status, and Misuse of the FDIC's Name or Logo.

OMB Number: 3064–0219.

Frequency of Response: Periodic—see table below.

Affected Public: Businesses or other for-profit.

Respondents: Any FDIC-insured depository institution and persons that provide deposit-related services to insured depository institutions or offer insured depository institution's deposit-related products or services to other parties.

Current Actions: The proposed rule would revise the currently approved information collection to streamline the requirements to display the FDIC official digital sign and the display of non-deposit signage to certain pages.

First, the proposal would reduce the number of digital screens or pages on which the FDIC official digital sign must appear. Under the 2023 Final Rule, IDIs are typically required to display the FDIC official sign across an open-ended number of locations, most likely at least six. The proposed rule would eliminate the requirement to post the official digital sign on pages where a consumer may transact with deposits, which could represent multiple pages (transfer pages, remote deposit capture pages, and account opening pages, for example). Overall, the proposed rule would reduce this requirement to four key locations on digital channels and ATMs and like devices: (a) on digital channels, the requirement would drop from an open-ended number of pages (initial or homepage, landing or login, and pages where a consumer may transact with deposits) to just three (initial or homepage, login page, and the screen used to initiate a deposit account opening); and (b) for ATMs and like devices, the requirement would be reduced from at least two or more screens (home and each deposit-related transaction screen) to only the initial screen.

Second, the proposal would narrow the non-deposit signage requirements: (a) for digital channels, non-deposit signage would no longer be required on all pages related to non-deposit products; instead, non-deposit signage would only be required on pages primarily dedicated to one or more non-deposit products, thereby reducing the number of applicable pages; and (b) for ATMs and like devices, the proposal would both limit the types of devices that require non-deposit signage (only those enabling transactions with non-deposit products) and reduce the number of screens where signage must appear (from all related screens to only the initial non-deposit product screen).

These proposed changes are reflected in information collections 3–5 on the table below. Based on available data, the estimated annual burden associated with the information collection would decrease.

SUMMARY OF ESTIMATED ANNUAL PRA BURDEN

Information collection (obligation to respond)	Type of burden (frequency of response)	Number of respondents	Average number of responses per respondent	Average time per response (HH:MM)	Annual burden (hours)
1. Signs within Institution Premises—Banks <$10B, 12 CFR 328.3 (Mandatory).	Third-Party Disclosure (Annual).	4,496	7	1:00	31,472
2. Signs within Institution Premises—Banks >=$10B, 12 CFR 328.3 (Mandatory).	Third-Party Disclosure (Annual).	158	279	2:00	88,164
3. Signage for ATMs and Digital Deposit-taking Channels—Implementation, 12 CFR 328.4 and 328.5 (Mandatory).	Third-Party Disclosure (Annual).	4,471	0.333	41:00	61,049
4. Signage for ATMs and Digital Deposit-taking Channels—Banks <$10B—Ongoing, 12 CFR 328.4 and 328.5 (Mandatory).	Third-Party Disclosure (Annual).	4,311	0.667	6.50	19,646
5. Signage for ATMs and Digital Deposit-taking Channels—Banks >=$10B—Ongoing, 12 CFR 328.4 and 328.5 (Mandatory).	Third-Party Disclosure (Annual).	160	0.667	13.40	1,462
6. Policies and Procedures—Implementation, 12 CFR 328.8 (Mandatory).	Recordkeeping (Annual)	1,551	1	80:00	124,080
7. Policies and Procedures—Ongoing, 12 CFR 328.8 (Mandatory).	Recordkeeping (Annual)	3,103	1	12:00	37,236

[34] 44 U.S.C. 3501 *et seq.*

[35] 44 U.S.C. 3507(d).

[36] 5 CFR 1320.

SUMMARY OF ESTIMATED ANNUAL PRA BURDEN—Continued

Information collection (obligation to respond)	Type of burden (frequency of response)	Number of respondents	Average number of responses per respondent	Average time per response (HH:MM)	Annual burden (hours)
8. Insured Depository Institution Relationships—Implementation 12 CFR 328.102(b)(5) (Mandatory).	Third-Party Disclosure (Annual).	500	1	2:30	1,250
9. Insured Depository Institution Relationships—Ongoing 12 CFR 328.102(b)(5) (Mandatory).	Third-Party Disclosure (Annual).	1,000	1	1:00	1,000
10. Request for Consent to Use Non-English Language Advertising Statement—12 CFR 328.6(f) (Required to Obtain or Retain a Benefit).	Reporting ..... (On occasion)	1	1	2:00	2
Total Annual Burden (Hours)	.....	.....	.....	.....	365,361

Source: FDIC.

Note: The annual burden estimate for a given collection is calculated in two steps. First, the total number of annual responses is calculated as the whole number closest to the product of the annual number of respondents and the annual number of responses per respondent. Then, the total number of annual responses is multiplied by the time per response and rounded to the nearest hour to obtain the estimated annual burden for that collection. This rounding ensures the annual burden hours in the table are consistent with the values recorded in the OMB's regulatory tracking system.

This proposal would result in a decrease in the average time per response for lines 3–5 in the table. The remaining ICs are presented for renewal without change.

Comments are invited on:

(a) Whether the collection of information is necessary for the proper performance of the FDIC's functions, including whether the information has practical utility;

(b) The accuracy of the estimate of the burden of the information collection, including the validity of the methodology and assumptions used;

(c) Ways to enhance the quality, utility, and clarity of the information to be collected; and

(d) Ways to minimize the burden of the information collection on respondents, including through the use of automated collection techniques or other forms of information technology.

All comments will become a matter of public record. Comments on aspects of this document that may affect reporting, recordkeeping, or disclosure requirements and burden estimates should be sent to the address listed in the **ADDRESSES** section of this document. Written comments and recommendations for this information collection also should be sent within 60 days of publication of this document to *www.reginfo.gov/public/do/PRAMain.* Find this particular information collection by selecting ''Currently under 60-day Review—Open for Public Comments'' or by using the search function.

C. Plain Language

Section 722 of the Gramm-Leach Bliley Act [37] requires the Federal banking agencies to use plain language in all proposed and final rules published after January 1, 2000. The FDIC invites your comments on how to make the proposed rule easier to understand. For example:

- Has the FDIC organized the material to suit your needs? If not, how could the proposed rule be more clearly stated?
- Are the requirements in the proposed rule clearly stated? If not, how could the proposed rule be more clearly stated?
- Does the proposed rule contain language or jargon that is not clear? If so, which language requires clarification?
- Would a different format (grouping and order of sections, use of headings, paragraphing) make the proposed rule easier to understand? If so, what changes to the format would make the proposed rule easier to understand?
- What else could the FDIC do to make the proposed rule easier to understand?

D. Riegle Community Development and Regulatory Improvement Act of 1994

Pursuant to section 302(a) of the Riegle Community Development and Regulatory Improvement Act of 1994 (RCDRIA),[38] in determining the effective date and administrative compliance requirements for new regulations that impose additional reporting, disclosure, or other requirements on IDIs, each Federal banking agency must consider, consistent with principles of safety and soundness and the public interest, any administrative burdens that such regulations would place on affected depository institutions, including small depository institutions, and customers of depository institutions, as well as the benefits of such regulations. In addition, section 302(b) of the RCDRIA requires new regulations and amendments to regulations that impose additional reporting, disclosures, or other new requirements on IDIs generally to take effect on the first day of a calendar quarter that begins on or after the date on which the regulations are published in final form. The FDIC invites comments that further will inform its consideration of the RCDRIA.[39]

E. Executive Order 12866 and 14192

Executive Order 12866, as amended, provides that the Office of Information and Regulatory Affairs (OIRA) will review all ''significant regulatory actions'' as defined therein. OIRA has determined that this proposal is not a ''significant regulatory action'' for purposes of Executive Order 12866. The proposal, if finalized as proposed, is not expected to be an Executive Order 14192 regulatory action.

VII. Request for Comment

The FDIC invites comment on all aspects of this proposed rulemaking. In particular, the FDIC seeks feedback on the scope of the proposed rule and its requirements, and responses to the following specific questions:

FDIC Official Digital Sign Design

(1) Do the proposed rule's requirements regarding the color, size, and font of the FDIC official digital sign's text provide a reasonable amount of flexibility while ensuring that the official digital sign is easily

[37] Public Law 106–102, section 722, 113 Stat. 1338, 1471 (1999), 12 U.S.C. 4809.

[38] 12 U.S.C. 4802(a).

[39] 12 U.S.C. 4802(b).

recognizable, consistent, and conveys the certainty and confidence historically provided by the physical FDIC official sign at banks' teller windows? If not, please identify any additional or alternative requirements to the design of the official digital sign that would provide further flexibility while meeting the recognizability, consistency, and confidence of the policy objectives.

(2) Are there substantive changes to the text of the FDIC official digital sign, such as including the phrase, ''Deposits are FDIC-insured,'' that would provide additional clarity? Should IDIs be permitted to amend or add to the text of the FDIC official digital sign? If so, please provide details regarding the level of flexibility or specific text suggestions. Are there downsides to changes to the text or additional flexibility?

(3) Should the proposed rule include a minimum size font for the text of the FDIC official digital sign? If so, would this work for mobile phone applications with a small amount of space? If not, are there other ways to ensure that the FDIC official digital sign is readable, legible, and clear?

(4) Do the proposed rule's requirements regarding the design of the FDIC official digital sign present technical challenges? If so, please provide specific examples and potential alternatives that would support the FDIC's stated policy objectives while mitigating compliance and other costs.

(5) Should the proposed rule clarify what ''similar fonts'' to Source Sans Pro Web are permissible for the display of the FDIC official digital sign? If so, please suggest ways of providing such clarification.

Signage Requirements for Digital Deposit-Taking Channels

(6) Are there additional ways the FDIC could clarify which pages and screens of an IDI's digital deposit-taking channel would be required to display the FDIC official digital sign?

(7) Does the proposed rule sufficiently address the stated policy objective of addressing risk of confusion where consumers interact with deposits and non-deposit products through the same digital channels? Are there any additional or alternative requirements that would draw a clear distinction between deposits and non-deposit products on digital channels?

(8) Do the proposed rule's requirements regarding the display of the FDIC official digital sign present technical challenges that are not sufficiently mitigated by the flexibility provided? If so, are there ways to address those challenges while still displaying the FDIC official digital sign in a recognizable and consistent manner that mitigates consumer confusion?

(9) The proposed rule would require the display of non-deposit signage only on pages and screens that are ''primarily dedicated'' to one or more non-deposit products. Is the meaning of ''primarily dedicated'' sufficiently clear as to which pages and screens require the non-deposit signage?

(10) The proposed rule would require that the FDIC official digital sign and non-deposit signage on certain digital deposit-taking channels be displayed clearly, continuously, and conspicuously. How can the FDIC provide additional guidance on whether a particular instance of the FDIC official digital sign or non-deposit signage on a given page is displayed ''clearly, continuously, and conspicuously''?

(11) Does the proposed rule's minimum three-second duration for the display of the one-time notification before automatic dismissal provide consumers with sufficient opportunity to read and understand the content of the notification? Is there an alternative duration that would set a more appropriate minimum standard for the display of the one-time notification? Are there other alternative approaches besides a minimum duration that would achieve the stated policy objectives?

(12) Should the one-time notification requirement apply when the third-party is an affiliate of an IDI? If so, why, and if not, why not?

Sign Requirements for ATMs and Like Devices

(13) Is the proposed rule sufficiently clear as to which pages and screens on ATMs and like devices are required to display the FDIC official digital sign? If not, how could the proposed rule be clearer?

(14) The proposed rule would require non-deposit signage to be displayed on an ATM or like device only on the initial transaction page or initial transaction screen for a non-deposit product. Is it sufficiently clear which page or screen would be the ''initial transaction page or initial transaction screen'' for purposes of this requirement? If not, how could the requirement be clearer?

(15) For ATMs and like devices that display the physical FDIC official sign, are minimum standards for the condition, clarity, or conspicuousness of the sign necessary to ensure consumers are able to view the sign's content? If so, what should those standards be?

(16) What risks of consumer confusion or uncertainty, if any, are presented by having different signage requirements for ATMs and like devices based on the date on which they are placed into service?

(17) Do the proposed rule's requirements that the FDIC official digital sign be displayed on an ATM's initial screen and that non-deposit signage be displayed on the initial non-deposit product transaction page provide enough clarity about whether a product is insured while providing reasonable flexibility to IDIs?

Compliance Date

(18) For IDIs that have complied with the 2023 Final Rule, is the proposed January 1, 2027 compliance date sufficient to allow IDIs to revise systems and processes to ensure digital deposit-taking channels, ATMs, and like devices comply with the proposed requirements, if implemented? What expenses would IDIs incur in making such revisions?

Innovation

(19) Do the proposed amendments pose potential challenges to the ability of IDI to innovate with respect to how consumers engage with an IDI and its products and services?

List of Subjects in 12 CFR Part 328

Advertising, Bank deposit insurance, Savings associations, Signs and symbols.

Authority and Issuance

For the reasons stated in the preamble, the Federal Deposit Insurance Corporation proposes to amend part 328 of title 12 of the *Code of Federal Regulations* as follows:

PART 328—FDIC OFFICIAL SIGNS, ADVERTISEMENT OF MEMBERSHIP, FALSE ADVERTISING, MISREPRESENTATION OF INSURED STATUS, AND MISUSE OF THE FDIC'S LOGO

■ 1. The authority citation for part 328 continues to read as follows:

Authority: 12 U.S.C. 1818, 1819 (Tenth), 1820(c), 1828(a).

■ 2. Revise § 328.4 to read as follows:

§ 328.4 Signs for automated teller machines (ATMs) and like devices.

(a) *Scope.* This section governs signage for insured depository institutions' ATMs and other remote electronic facilities (referred to as ''like devices'') that receive deposits. For purpose of this section, ATMs and like devices are not digital deposit-taking channels.

(b) *Display of FDIC official digital sign.* Except as provided in paragraph

(c) of this section, an insured depository institution must clearly, continuously, and conspicuously display the FDIC official digital sign specified in § 328.5(b) on the initial screen of the insured depository institution's ATMs and like devices.

(c) *Limited exception for certain ATMs to display physical official sign.* The physical official sign as described in § 328.2 may be displayed in lieu of the FDIC official digital sign as described in § 328.5(b), for:

(1) ATMs and like devices placed into service after January 1, 2027, that do not permit an insured depository institution's customer to transact with a non-deposit product; and

(2) ATMs and like devices placed into service on or before January 1, 2027.

(d) *Non-deposit signage.* An insured depository institution's ATM and like device that both receive deposits and permit a customer to transact with one or more non-deposit products must clearly, continuously, and conspicuously display signage indicating that the non-deposit products: are not insured by the FDIC; are not deposits; and may lose value. This signage must be displayed on the initial transaction page or initial transaction screen relating to a non-deposit product.

■ 3. Revise § 328.5 to read as follows:

§ 328.5 Signs for digital deposit-taking channels.

(a) *Scope.* This section governs signage for digital deposit-taking channels, including insured depository institutions' websites and web-based or mobile applications, that offer the ability to make deposits electronically and provide access to deposits at insured depository institutions. This section does not apply to ATMs and like devices as described in § 328.4.

(b) *Design.* In general, the ''FDIC'' in the FDIC official digital sign shall be displayed in bold, navy blue or black, and the ''*FDIC-Insured—Backed by the full faith and credit of the U.S. Government*'' shall be displayed in smaller type, in italic, and with navy blue or black lettering. The entire FDIC official digital sign shall be displayed in Source Sans Pro Web or similar font. For an FDIC official digital sign that would be illegible if displayed in the colors listed in this paragraph, due to the color of the background, the FDIC official digital sign shall be displayed in white to contrast with the background, subject to the other requirements listed in this paragraph. The official digital sign required by the provisions of this section shall have the following design, for which wrapping may be permitted to address space constraints:

(c) *Display of FDIC official digital sign.* An insured depository institution's digital deposit-taking channel must clearly, continuously, and conspicuously display the FDIC official digital sign specified in paragraph (b) of this section on the following pages or screens:

(1) Initial page or homepage of the website or application;

(2) Login page; and

(3) Page or screen where the consumer initiates a deposit account opening.

(d) *Non-deposit signage.*

(1) *Display of non-deposit signage.* An insured depository institution's digital deposit-taking channel that offers the ability to make deposits electronically and provides access to deposits and one or more non-deposit products must clearly, continuously, and conspicuously display signage indicating that the non-deposit products: are not insured by the FDIC; are not deposits; and may lose value. This signage must be displayed on all pages or screens primarily dedicated to one or more non-deposit products.

(2) *One-time notification for bank customers related to third-party non-deposit products.*

(i) *Notification requirement.* An insured depository institution's digital deposit-taking channel that provides access to a non-deposit product from a non-bank third party's online interface must provide a one-time per session notification to a bank customer who is logged into the insured depository institution's deposit-taking channel before the customer leaves the insured depository institution's digital deposit-taking channel to access the non-bank third party's non-deposit product.

(ii) *Content of notification.* The notification in paragraph (d)(2)(i) of this section must clearly and conspicuously state that the third party's non-deposit products: are not insured by the FDIC; are not deposits; and may lose value.

(iii) *Dismissal of notification.* The notification in paragraph (d)(2)(i) of this section must either be dismissed by an affirmative act of the bank customer, such as a click or swipe, or automatically disappear from view after the customer has had a reasonable opportunity to read the notification. For the purpose of this requirement, a notification that remains visible for at least three seconds would provide a reasonable opportunity for a customer to read the notification.

(iv) *Additional disclosures permitted.* Nothing in this paragraph (d) shall be read to limit an insured depository institution's ability to include additional disclosures in the notification required by paragraph (d)(2)(i) of this section that may help prevent consumer confusion, including, for example, that the bank customer is leaving the insured depository institution's website.

(e) *Examples of clear, continuous, and conspicuous placement.* Examples of the FDIC official digital sign and non-deposit signage placement that would satisfy the ''clear, continuous, and conspicuous'' standard include, but are not limited to, the following:

(1) The homepage of an insured depository institution's website that continuously displays the FDIC official digital sign near the top of the page and adjacent to the insured depository institution's name;

(2) The login page for an insured depository institution's mobile application that displays the FDIC official digital sign immediately adjacent to the username and password fields;

(3) The deposit account opening page for an insured depository institution's web-based application that displays the FDIC official digital sign near the top or center of the page; and

(4) With respect to non-deposit signage, a page on an insured depository institution's website promoting, for example, annuities available for purchase, with non-deposit signage appearing towards the bottom of a promotional text or graphic in a size generally consistent with other text on the page.

■ 4. Amend § 328.101 by adding the definition for ''Digital symbol'' in alphabetical order to read as follows:

§ 328.101 Definitions.

* * * * *

Digital symbol means the portion of the FDIC official digital sign, as set forth in § 328.5(b), consisting of ''FDIC'' and

the one line of smaller type to the right of ''FDIC''.

* * * * *

Federal Deposit Insurance Corporation.

By order of the Board of Directors.

Dated at Washington, DC, on August 19, 2025.

Jennifer M. Jones,

Deputy Executive Secretary.

[FR Doc. 2025–16056 Filed 8–20–25; 8:45 am]

BILLING CODE 6714–01–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2025–2262; Project Identifier MCAI–2025–00083–T]

RIN 2120–AA64

Airworthiness Directives; ATR—GIE Avions de Transport Régional 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 certain ATR—GIE Avions de Transport Régional Model ATR42–300, –320, –500, ATR72–201, and –212A airplanes, and for all ATR—GIE Avions de Transport Régional Model ATR72–102, –202, –211, and –212 airplanes. This proposed AD was prompted by an inspection on the ATR final assembly line that found a fire extinguishing tube, located on the ceiling of the aft cargo compartment, disconnected from its sleeve. This proposed AD would require a functional check of the aft cargo fire extinguishing system and applicable on-condition actions, if necessary. For certain airplanes, this proposed AD would also require an additional functional check and applicable on-condition actions. 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 October 6, 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–2025–2262; or in person at Docket Operations between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this NPRM, the mandatory continuing airworthiness information (MCAI), any comments received, and other information. The street address for Docket Operations is listed above.

Material Incorporated by Reference:

- For European Union Aviation Safety Agency (EASA) material identified in this proposed AD, contact EASA, Konrad-Adenauer-Ufer 3, 50668 Cologne, Germany; telephone +49 221 8999 000; email *ADs@easa.europa.eu.* You may find this material on the EASA website at *ad.easa.europa.eu.* It is also available at *regulations.gov* under Docket No. FAA–2025–2262.
- 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.

FOR FURTHER INFORMATION CONTACT: Alexis Whitaker, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; phone: 516–228–7309; email: *9-AVS-AIR-BACO-COS@faa.gov.*

SUPPLEMENTARY INFORMATION:

Comments Invited

The FAA invites you to send any written relevant data, views, or arguments about this proposal. Send your comments using a method listed under the **ADDRESSES** section. Include ''Docket No. FAA–2025–2262; Project Identifier MCAI–2025–00083–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 Alexis Whitaker, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; phone: 516–228–7309; email: *9-AVS-AIR-BACO-COS@faa.gov.* Any commentary that the FAA receives which is not specifically designated as CBI will be placed in the public docket for this rulemaking.

Background

EASA, which is the Technical Agent for the Member States of the European Union, has issued EASA AD 2025–0080, dated April 11, 2025; corrected April 23, 2025 (EASA AD 2025–0080) (also referred to as the MCAI), to correct an unsafe condition for certain ATR—GIE Avions de Transport Régional Model ATR42–300, –320, –400, –500, ATR72–201, and –212A airplanes, and for all ATR—GIE Avions de Transport Régional Model ATR72–102, –202, –211, and –212 airplanes. Model ATR42–400 airplanes are not certificated by the FAA and are not included on the U.S. type certificate data sheet; this proposed AD therefore does not include those airplanes in the applicability. The MCAI states that during an inspection on the ATR final assembly line, a fire extinguishing tube, located on the ceiling of the aft cargo compartment, was found disconnected from its sleeve. Further investigations indicated that this condition might affect other ATR airplanes. This condition, if not detected and corrected, could affect the capability of the aft cargo compartment fire extinguishing system to contain a cargo compartment fire.

You may examine the MCAI in the AD docket at *regulations.gov* under Docket No. FAA–2025–2262.

Material Incorporated by Reference Under 1 CFR Part 51

EASA AD 2025–0080 specifies procedures for accomplishing a functional check for discrepancies, such as incorrectly installed distribution piping, of the aft cargo fire-extinguishing system, and depending on the results, corrective actions. Corrective actions include correcting and re-installing the distribution piping then repeating the functional check after re-installation, or obtaining and following repair instructions from the manufacturer if a detected discrepancy cannot be corrected. For airplanes on which a functional check and corrective actions have been accomplished using certain material, EASA AD 2025–0080 specifies performing an additional functional check and, depending on the results, corrective actions. This material is reasonably available because the interested parties have access to it through their normal course of business or by the means identified in the **ADDRESSES** section.

FAA's Determination

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

Proposed AD Requirements in This NPRM

This proposed AD would require accomplishing the actions specified in EASA AD 2025–0080 described previously, except for any differences identified as exceptions in the regulatory text of this proposed AD.

Explanation of Required Compliance Information

In the FAA's ongoing efforts to improve the efficiency of the AD process, the FAA developed a process to use some civil aviation authority (CAA) ADs as the primary source of information for compliance with requirements for corresponding FAA ADs. The FAA has been coordinating this process with manufacturers and CAAs. As a result, the FAA proposes to incorporate EASA AD 2025–0080 by reference in the FAA final rule. This proposed AD would, therefore, require compliance with EASA AD 2025–0080 in its entirety through that incorporation, except for any differences identified as exceptions in the regulatory text of this proposed AD. Using common terms that are the same as the heading of a particular section in EASA AD 2025–0080 does not mean that operators need to comply only with that section. For example, where the AD requirement refers to ''all required actions and compliance times,'' compliance with this AD requirement is not limited to the section titled ''Required Action(s) and Compliance Time(s)'' in EASA AD 2025–0080. Material required by EASA AD 2025–0080 for compliance will be available at *regulations.gov* under Docket No. FAA–2025–2262 after the FAA final rule is published.

Costs of Compliance

The FAA estimates that this AD, if adopted as proposed, would affect 103 airplanes of U.S. registry. The FAA estimates the following costs to comply with this proposed AD:

ESTIMATED COSTS FOR REQUIRED ACTIONS

Labor cost	Parts cost	Cost per product	Cost on U.S. operators
1 work-hour × $85 per hour = $85	$0	$85	$8,755

The FAA estimates the following costs to do any necessary on-condition actions that would be required based on the results of any required actions. The FAA has no way of determining the number of aircraft that might need these on-condition actions:

ESTIMATED COSTS OF ON-CONDITION ACTIONS

Labor cost	Parts cost	Cost per product
Up to 2 work-hour × $85 per hour = $170	$0	Up to $170.

The FAA has received no definitive data on which to base the cost estimates for airplanes that require contacting ATR for repair instructions in order to comply with on-condition actions specified in this proposed AD.

Authority for This Rulemaking

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

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

Regulatory Findings

The FAA 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:

ATR—GIE Avions de Transport Régional: Docket No. FAA–2025–2262; Project Identifier MCAI–2025–00083–T.

(a) Comments Due Date

The FAA must receive comments on this airworthiness directive (AD) by October 6, 2025.

(b) Affected ADs

None.

(c) Applicability

This AD applies to the ATR—GIE Avions de Transport Régional airplanes identified in paragraphs (c)(1) and (2) of this AD, certificated in any category, as identified in European Union Aviation Safety Agency (EASA) AD 2025–0080, dated April 11, 2025; corrected April 23, 2025 (EASA AD 2025–0080).

(1) ATR42–300, –320, and –500 airplanes.

(2) ATR72–102, –201, –202, –211, –212, and –212A airplanes.

(d) Subject

Air Transport Association (ATA) of America Code 26, Fire Protection.

(e) Unsafe Condition

This AD was prompted by an inspection on the ATR final assembly line that found a fire extinguishing tube, located on the ceiling of the aft cargo compartment, disconnected from its sleeve. The FAA is issuing this AD to address this condition, which if not detected and corrected, could affect the capability of the aft cargo compartment fire extinguishing system to contain a cargo compartment fire.

(f) Compliance

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

(g) Requirements

Except as specified in paragraph (h) of this AD: Comply with all required actions and compliance times specified in, and in accordance with, EASA AD 2025–0080.

(h) Exceptions to EASA AD 2025–0080

(1) Where EASA AD 2025–0080 refers to its effective date, this AD requires using the effective date of this AD.

(2) Where EASA AD 2025–0080 refers to February 5, 2025 (the effective date of EASA AD 2025–0024), this AD requires using the effective date of this AD.

(3) Where EASA AD 2025–0080 refers to ''any discrepancy'', this AD requires replacing that text with ''any incorrectly installed distribution piping''.

(4) This AD does not adopt the ''Remarks'' section of EASA AD2025–0080.

(i) Special Flight Permits

Special flight permits may be issued in accordance with 14 CFR 21.197 and 21.199 to operate the airplane to a location where the airplane can be modified, provided no cargo is in the aft cargo compartment.

(j) Additional AD Provisions

The following provisions also apply to this AD:

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

(2) *Contacting the Manufacturer:* For any requirement in this AD to obtain instructions from a manufacturer, the instructions must be accomplished using a method approved by the Manager, International Validation Branch, FAA; or EASA; or ATR—GIE Avions de Transport Régional's EASA Design Organization Approval (DOA). If approved by the DOA, the approval must include the DOA-authorized signature.

(k) Additional Information

For more information about this AD, contact Alexis Whitaker, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; phone: 516–228–7309; email: *9-AVS-AIR-BACO-COS@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 this AD specifies otherwise.

(i) European Union Aviation Safety Agency (EASA) AD 2025–0080, dated April 11, 2025; corrected April 23, 2025.

(ii) [Reserved]

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

(4) You may view this 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-locations* or email *fr.inspection@nara.gov.*

Issued on August 18, 2025.

Steven W. Thompson,

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

[FR Doc. 2025–15999 Filed 8–20–25; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2025–2261; Project Identifier MCAI–2024–00717–T]

RIN 2120–AA64

Airworthiness Directives; MHI RJ Aviation ULC (Type Certificate Previously Held by Bombardier, Inc.) 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 MHI RJ Aviation ULC Model CL–600–2C10 (Regional Jet Series 700, 701 & 702), CL–600–2C11 (Regional Jet Series 550), CL–600–2D15 (Regional Jet Series 705), CL–600–2D24 (Regional Jet Series 900), and CL–600–2E25 (Regional Jet Series 1000) airplanes. This proposed AD was prompted by a determination that new or more restrictive airworthiness limitations are necessary. This proposed AD would require revising the existing maintenance or inspection program, as applicable, to incorporate new or more restrictive airworthiness limitations. The FAA is proposing this AD to address the unsafe condition on these products.

DATES: The FAA must receive comments on this proposed AD by October 6, 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–2025–2261; or in person at Docket Operations between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this NPRM, the mandatory continuing airworthiness information (MCAI), any comments received, and other information. The street address for Docket Operations is listed above.

Material Incorporated by Reference:

- For Transport Canada material identified in this proposed AD, contact Transport Canada, Transport Canada National Aircraft Certification, 159 Cleopatra Drive, Nepean, Ontario K1A 0N5, Canada; telephone 888–663–3639; email *TC.AirworthinessDirectives-Consignesdenavigabilite.TC@tc.gc.ca*. You may find this material on the Transport Canada website at *tc.canada.ca/en/aviation*. It is also available at *regulations.gov* under Docket No. FAA–2025–2261.
- 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.

FOR FURTHER INFORMATION CONTACT: Fatin Saumik, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; phone: (516) 228–7300; email: *9-avs-nyaco-cos@faa.gov*.

SUPPLEMENTARY INFORMATION:

Comments Invited

The FAA invites you to send any written relevant data, views, or arguments about this proposal. Send your comments using a method listed under the **ADDRESSES** section. Include ''Docket No. FAA–2025–2261; Project Identifier MCAI–2024–00717–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 Fatin Saumik, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; phone: (516) 228–7300; email: *9-avs-nyaco-cos@faa.gov*. Any commentary that the FAA receives which is not specifically designated as CBI will be placed in the public docket for this rulemaking.

Background

Transport Canada, which is the aviation authority for Canada, has issued Transport Canada AD CF–2024–41, dated December 5, 2024 (Transport Canada AD CF–2024–41) (also referred to as the MCAI), to correct an unsafe condition for all MHI RJ Aviation ULC Model CL–600–2C10 (Regional Jet Series 700, 701 & 702), CL–600–2C11 (Regional Jet Series 550), CL–600–2D15 (Regional Jet Series 705), CL–600–2D24 (Regional Jet Series 900), and CL–600–2E25 (Regional Jet Series 1000) airplanes. The MCAI states that new or more restrictive airworthiness limitations have been developed.

The FAA is proposing this AD to address reduced structural integrity and reduced controllability of the airplane. You may examine the MCAI in the AD docket at *regulations.gov* under Docket No. FAA–2025–2261.

Other Relevant Rulemaking

The FAA issued the following ADs that are related to this proposed AD:

- AD 2023–06–06, Amendment 39–22392 (88 FR 17682, March 24, 2023); corrected April 12, 2023 (88 FR 21900) (AD 2023–06–06), which applies to all MHI RJ Aviation ULC Model CL–600–2C10 (Regional Jet Series 700, 701 & 702) airplanes, Model CL–600–2C11 (Regional Jet Series 550) airplanes, Model CL–600–2D15 (Regional Jet Series 705) airplanes, Model CL–600–2D24 (Regional Jet Series 900) airplanes, and Model C–600–2E25 (Regional Jet Series 1000) airplanes. AD 2023–06–06 requires revising the existing maintenance or inspection program, as applicable, to incorporate two aircraft maintenance manual (AMM) tasks.
- AD 2023–09–02, Amendment 39–22425 (88 FR 32625, May 22, 2023) (AD 2023–09–02), which applies to all MHI RJ Aviation ULC Model CL–600–2B19 (Regional Jet Series 100 & 440), CL–600–2C10 (Regional Jet Series 700, 701, and 702), CL–600–2C11 (Regional Jet Series 550), CL–600–2D15 (Regional Jet Series 705), CL–600–2D24 (Regional Jet Series 900), and CL–600–2E25 (Regional Jet Series 1000) airplanes. AD 2023–09–02 requires revising the existing maintenance or inspection program, as applicable, to incorporate new or more restrictive AMM and certification maintenance requirement (CMR) tasks.
- AD 2023–24–03, Amendment 39–22619 (88 FR 87331, December 18, 2023) (AD 2023–24–03), which applies to all MHI RJ Aviation ULC Model CL–600–2B19 (Regional Jet Series 100 & 440), CL–600–2C10 (Regional Jet Series 700, 701, and 702), CL–600–2C11 (Regional Jet Series 550), CL–600–2D15 (Regional Jet Series 705), CL–600–2D24 (Regional Jet Series 900), and CL–600–2E25 (Regional Jet Series 1000) airplanes. AD 2023–24–03 requires revising the existing maintenance or inspection program, as applicable, to incorporate new or more restrictive AMM and CMR tasks.
- AD 2025–11–11, Amendment 39–23057 (90 FR 24315, June 10, 2025) (AD 2025–11–11), which applies to all MHI RJ Aviation ULC Model CL–600–2C10 (Regional Jet Series 700, 701, and 702), CL–600–2C11 (Regional Jet Series 550), CL–600–2D15 (Regional Jet Series 705), CL–600–2D24 (Regional Jet Series 900), and CL–600–2E25 (Regional Jet Series 1000) airplanes. AD 2025–11–11 requires revising the existing maintenance or inspection program, as applicable, to incorporate new or more restrictive AMM tasks.

Accomplishing the actions required by this proposed AD terminates the corresponding requirements of paragraph (h) of AD 2023–09–02 and paragraph (h) of AD 2023–24–03 for the AMM tasks identified in the material referenced in Transport Canada AD CF–2024–41 only.

Accomplishing the actions required by this AD terminates all requirements of AD 2023–06–06 and AD 2025–11–11.

Material Incorporated by Reference Under 1 CFR Part 51

The FAA reviewed Transport Canada AD CF–2024–41, which specifies new or more restrictive airworthiness limitations for airplane structures and safe life limits.

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

FAA's Determination

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

Proposed AD Requirements in This NPRM

This proposed AD would require revising the existing maintenance or inspection program, as applicable, to incorporate new or more restrictive airworthiness limitations, which are specified in Transport Canada AD CF–2024–41 described previously, as incorporated by reference. Any differences with Transport Canada AD CF–2024–41 are identified as exceptions in the regulatory text of this proposed AD.

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

Explanation of Required Compliance Information

In the FAA's ongoing efforts to improve the efficiency of the AD process, the FAA developed a process to use some civil aviation authority (CAA) ADs as the primary source of information for compliance with requirements for corresponding FAA ADs. The FAA has been coordinating this process with manufacturers and CAAs. As a result, the FAA proposes to incorporate Transport Canada AD CF–2024–41 by reference in the FAA final rule. This proposed AD would, therefore, require compliance with Transport Canada AD CF–2024–41 through that incorporation, except for any differences identified as exceptions in the regulatory text of this proposed AD. Material required by Transport Canada AD CF–2024–41 for compliance will be available at regulations.gov by searching for and locating Docket No. FAA–2025–2261 after the FAA final rule is published.

Airworthiness Limitation ADs Using the New Process

The FAA's process of incorporating by reference MCAI ADs as the primary source of information for compliance with corresponding FAA ADs has been limited to certain MCAI ADs (primarily those with service bulletins as the primary source of information for accomplishing the actions required by the FAA AD). However, the FAA is now expanding the process to include MCAI ADs that require a change to airworthiness limitation documents, such as airworthiness limitation sections.

For these ADs that incorporate by reference an MCAI AD that changes airworthiness limitations, the FAA requirements are unchanged. Operators must revise the existing maintenance or inspection program, as applicable, to incorporate the information specified in the new airworthiness limitation document. The airworthiness limitations must be followed according to 14 CFR 91.403(c) and 91.409(e).

The previous format of the airworthiness limitation ADs included a paragraph that specified that no alternative actions (*e.g.,* inspections), intervals, or CDCCLs may be used unless the actions, intervals, and CDCCLs are approved as an AMOC in accordance with the procedures specified in the AMOC paragraph under ''Additional AD Provisions.'' This new format includes a ''Provisions for Alternative Actions, Intervals, and CDCCLs'' paragraph that does not specifically refer to AMOCs, but operators may still request an AMOC to use an alternative action, interval, or CDCCL.

Costs of Compliance

The FAA estimates that this AD, if adopted as proposed, would affect 600 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 agency 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 has determined that this proposed AD would not have federalism implications under Executive Order 13132. This proposed AD would not have a substantial direct effect on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government.

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

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

(2) 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:

MHI RJ Aviation ULC (Type Certificate Previously Held by Bombardier, Inc.): Docket No. FAA–2025–2261; Project Identifier MCAI–2024–00717–T.

(a) Comments Due Date

The FAA must receive comments on this airworthiness directive (AD) by October 6, 2025.

(b) Affected ADs

This AD affects the ADs specified in paragraphs (b)(1) through (4) of this AD.

(1) AD 2023–06–06, Amendment 39–22392 (88 FR 17682, March 24, 2023); corrected April 12, 2023 (88 FR 21900) (AD 2023–06–06).

(2) AD 2023–09–02, Amendment 39–22425 (88 FR 32625, May 22, 2023) (AD 2023–09–02).

(3) AD 2023–24–03, Amendment 39–22619 (88 FR 87331, December 18, 2023) (AD 2023–24–03).

(4) AD 2025–11–11, Amendment 39–23057 (90 FR 24315, June 10, 2025) (AD 2025–11–11).

(c) Applicability

This AD applies to all MHI RJ Aviation ULC (Type Certificate Previously Held by Bombardier, Inc.) airplanes, certificated in any category, identified in paragraphs (c)(1) through (5) of this AD.

(1) Model CL–600–2C10 (Regional Jet Series 700, 701, and 702) airplanes.

(2) Model CL–600–2C11 (Regional Jet Series 550) airplanes.

(3) Model CL–600–2D15 (Regional Jet Series 705) airplanes.

(4) Model CL–600–2D24 (Regional Jet Series 900) airplanes.

(5) Model CL–600–2E25 (Regional Jet Series 1000) airplanes.

(d) Subject

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

(e) Unsafe Condition

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

(f) Compliance

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

(g) Maintenance or Inspection Program Revision

Except as specified in paragraph (h) of this AD: Comply with all required actions and compliance times specified in, and in accordance with, Transport Canada AD CF–2024–41, dated December 5, 2024 (Transport Canada AD CF–2024–41).

(h) Exception to Transport Canada AD CF–2024–41

(1) Where Transport Canada AD CF–2024–41 refers to its effective date, this AD requires using the effective date of this AD.

(2) Where Transport Canada AD CF–2024–41 specifies to ''complete the new or more restrictive limitations contained in the MHIRJ MRM CSP B–053 Part 2, revision 27, dated 15 September 2023, as applicable to the aeroplane model and configuration within the thresholds and repeat intervals or discard time identified within the tasks'', this AD requires replacing that text with ''revise the existing maintenance or inspection program, as applicable, by incorporating the information specified in MHIRJ MRM CSP B–053 Part 2, Revision 27, dated September 15, 2023, except when incorporating Appendix A2, only incorporate the AMM tasks, including the interval limitation, specified in the limitations table in Appendix A2''.

(3) The initial compliance time for doing the tasks specified in the ''Corrective Actions'' section of Transport Canada AD CF–2024–41 is at the applicable time specified in paragraph (h)(3)(i) or (ii) of this AD.

(i) For tasks that have ''thresholds'' and ''discard times'' specified: The initial compliance time is at the applicable ''thresholds'' and ''discard times'' as specified in the material referenced in Transport Canada AD CF–2024–41, or within 30 days after the effective date of this AD, whichever occurs later.

(ii) For tasks that only have ''intervals'' specified: The initial compliance time is before the applicable interval limitation specified in the material referenced in Transport Canada AD CF–2024–41 since the date of issuance of the original airworthiness certificate or the original export certificate of airworthiness, or within 30 days after the effective date of this AD, whichever occurs later.

(i) Provisions for Alternative Actions, Intervals, and Critical Design Configuration Control Limitations (CDCCLs)

After the existing maintenance or inspection program has been revised as required by paragraph (g) of this AD, no alternative actions (*e.g.,* inspections), intervals, and CDCCLs are allowed unless they are approved as specified in the provisions of the ''Corrective Actions'' section of Transport Canada AD CF–2024–41.

(j) Terminating Action for Certain Tasks Required by Other ADs

Accomplishing the actions required by this AD terminates the corresponding requirements of paragraph (h) of AD 2023–09–02 and paragraph (h) of AD 2023–24–03 for the AMM tasks identified in the material referenced in Transport Canada AD CF–2024–41 only.

(k) Terminating Action for AD 2023–06–06 and AD 2025–11–11

Accomplishing the actions required by this AD terminates all requirements of AD 2023–06–06 and AD 2025–11–11.

(l) Additional AD Provisions

The following provisions also apply to this AD:

(1) *Alternative Methods of Compliance (AMOCs):* The Manager, International Validation Branch, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send your request to your principal inspector or responsible Flight Standards Office, as appropriate. If sending information directly to the manager of the International Validation Branch, send it to the attention of the person identified in paragraph (m) of this AD and email to: *AMOC@faa.gov*. Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the responsible Flight Standards Office.

(2) *Contacting the Manufacturer:* For any requirement in this AD to obtain instructions from a manufacturer, the instructions must be accomplished using a method approved by the Manager, International Validation Branch, FAA; or Transport Canada; or MHI RJ Aviation ULC's Transport Canada Design Approval Organization (DAO). If approved by the DAO, the approval must include the DAO-authorized signature.

(m) Additional Information

For more information about this AD, contact Fatin Saumik, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; phone: (516) 228–7300; email: *9-avs-nyaco-cos@faa.gov*.

(n) 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 this AD specifies otherwise.

(i) Transport Canada AD CF–2024–41, dated December 5, 2024.

(ii) [Reserved]

(3) For Transport Canada material identified in this AD, contact Transport Canada, Transport Canada National Aircraft Certification, 159 Cleopatra Drive, Nepean, Ontario K1A 0N5, Canada; telephone 888–663–3639; email *TC.AirworthinessDirectives-Consignesdenavigabilite.TC@tc.gc.ca*. You may find this material on the Transport Canada website at *tc.canada.ca/en/aviation*.

(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-locations* or email *fr.inspection@nara.gov*.

Issued on August 18, 2025.

Steven W. Thompson,

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

[FR Doc. 2025–15998 Filed 8–20–25; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2025–2260; Project Identifier MCAI–2025–00043–T]

RIN 2120–AA64

Airworthiness Directives; Gulfstream Aerospace LP (Type Certificate Previously Held by Israel Aircraft Industries, Ltd.) 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 LP Model Gulfstream 100, Astra SPX, and 1125 Westwind Astra airplanes. This proposed AD was prompted by a determination that new airworthiness limitations are necessary. This proposed AD would require revising the existing maintenance or inspection program, as applicable, to incorporate new 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 October 6, 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–2025–2260; or in person at Docket Operations between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this NPRM, the mandatory continuing airworthiness information (MCAI), any comments received, and other information. The street address for Docket Operations is listed above.

Material Incorporated by Reference:

- For Civil Aviation Authority of Israel (CAAI) material identified in this proposed AD, contact CAAI, P.O. Box 1101, Golan Street, Airport City, 70100, Israel; telephone 972–3–9774665; fax 972–3–9774592; email *aip@mot.gov.il*. You may find this material on the CAAI website at *gov.il/en/pages/israeli-airworthiness-directives*. It is also available at *regulations.gov* under Docket No. FAA–2025–2260.
- 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.

FOR FURTHER INFORMATION CONTACT: Trevor Carlton, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; phone: 404–474–5597; email: *trevor.p.carlton@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–2025–2260; Project Identifier MCAI–2025–00043–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 Trevor Carlton, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; phone: 404–474–5597; email: *trevor.p.carlton@faa.gov*. Any commentary that the FAA receives which is not specifically designated as CBI will be placed in the public docket for this rulemaking.

Background

The CAAI, which is the aviation authority for Israel, has issued CAAI AD ISR I–32–25–01–7, dated January 13, 2025 (CAAI AD ISR I–32–25–01–7) (also referred to as the MCAI), to correct an unsafe condition for all Gulfstream Aerospace LP Model Gulfstream 100, Astra SPX, and 1125 Westwind Astra airplanes. The MCAI states an in-service failure of the nose landing gear (NLG) actuator-to-strut attachment pin was reported.

The FAA has determined that new airworthiness limitations are necessary for NLG actuator-to-strut attachment pins, part numbers (P/Ns) 2247.0500.007 and 2247.0500.008. The FAA is proposing this AD to prevent failure of the NLG actuator-to-strut attachment pin. The unsafe condition, if not addressed, could result in failure of the NLG to retract and lock after take-off or extend and lock before landing. You may examine the MCAI in the AD docket at *regulations.gov* under Docket No. FAA–2025–2260.

Material Incorporated by Reference Under 1 CFR Part 51

The FAA reviewed CAAI AD ISR I–32–25–01–7, which specifies new airworthiness limitations for safe life limits of the NLG actuator-to-strut attachment pins, P/Ns 2247.0500.007 and 2247.0500.008. This material is reasonably available because the

interested parties have access to it through their normal course of business or by the means identified in the **ADDRESSES** section.

FAA's Determination

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

Proposed AD Requirements in This NPRM

This proposed AD would require revising the existing maintenance or inspection program, as applicable, to incorporate new airworthiness limitations, which are specified in CAAI AD ISR I–32–25–01–7 described previously, as incorporated by reference. Any differences with CAAI AD ISR I–32–25–01–7 are identified as exceptions in the regulatory text of this proposed AD.

This proposed AD would require revisions to certain operator maintenance documents to include new actions (*e.g.,* inspections). 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 § 91.403(c), the operator must request approval for an alternative method of compliance (AMOC) according to paragraph (j)(1) of this proposed AD.

Explanation of Required Compliance Information

In the FAA's ongoing efforts to improve the efficiency of the AD process, the FAA developed a process to use some civil aviation authority (CAA) ADs as the primary source of information for compliance with requirements for corresponding FAA ADs. The FAA has been coordinating this process with manufacturers and CAAs. As a result, the FAA proposes to incorporate CAAI AD ISR I–32–25–01–7 by reference in the FAA final rule. This proposed AD would, therefore, require compliance with CAAI AD ISR I–32–25–01–7 through that incorporation, except for any differences identified as exceptions in the regulatory text of this proposed AD. Material required by CAAI AD ISR I–32–25–01–7 for compliance will be available at *regulations.gov* by searching for and locating Docket No. FAA–2025–2260 after the FAA final rule is published.

Airworthiness Limitation ADs Using the New Process

The FAA's process of incorporating by reference MCAI ADs as the primary source of information for compliance with corresponding FAA ADs has been limited to certain MCAI ADs (primarily those with service bulletins as the primary source of information for accomplishing the actions required by the FAA AD). However, the FAA is now expanding the process to include MCAI ADs that require a change to airworthiness limitation documents, such as airworthiness limitation sections.

For these ADs that incorporate by reference an MCAI AD that changes airworthiness limitations, the FAA requirements are unchanged. Operators must revise the existing maintenance or inspection program, as applicable, to incorporate the information specified in the new airworthiness limitation document. The airworthiness limitations must be followed according to 14 CFR 91.403(c) and 91.409(e).

The previous format of the airworthiness limitation ADs included a paragraph that specified that alternative actions (*e.g.,* inspections) or intervals may be used unless the actions and intervals are approved as an AMOC in accordance with the procedures specified in the AMOC paragraph under ''Additional AD Provisions.'' This new format includes a ''Provisions for Alternative Actions and Intervals'' paragraph that does not specifically refer to AMOCs, but operators may still request an AMOC to use an alternative action or interval.

Costs of Compliance

The FAA estimates that this AD, if adopted as proposed, would affect 86 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 agency 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 has determined that this proposed AD would not have federalism implications under Executive Order 13132. This proposed AD would not have a substantial direct effect on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government.

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

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

(2) 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 LP (Type Certificate Previously Held by Israel Aircraft Industries, Ltd.): Docket No. FAA–2025–2260; Project Identifier MCAI–2025–00043–T.

(a) Comments Due Date

The FAA must receive comments on this airworthiness directive (AD) by October 6, 2025.

(b) Affected ADs

None.

(c) Applicability

This AD applies to all Gulfstream Aerospace LP Model Gulfstream 100, Astra SPX, and 1125 Westwind Astra airplanes, certificated in any category.

(d) Subject

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

(e) Unsafe Condition

This AD was prompted by a determination that new airworthiness limitations are necessary. The FAA is issuing this AD to prevent failure of the nose landing gear (NLG) actuator-to-strut attachment pin. The unsafe condition, if not addressed, could result in failure of the NLG to retract and lock after take-off or extend and lock before landing.

(f) Compliance

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

(g) Requirements

Except as specified in paragraph (h) of this AD: Comply with all required actions and compliance times specified in, and in accordance with, CAAI AD ISR I–32–25–01–7, dated January 13, 2025 (CAAI AD ISR I–32–25–01–7).

(h) Exceptions to CAAI AD ISR I–32–25–01–7

(1) Where CAAI AD ISR I–32–25–01–7 refers to its effective date, this AD requires using the effective date of this AD.

(2) The initial compliance time for doing the tasks specified in the Action paragraph of CAAI AD ISR I–32–25–01–7 is at the applicable discard interval specified in the material referenced in the Action paragraph of CAAI AD ISR I–32–25–01–7, or within 3 months after the effective date of this AD, whichever occurs later.

(3) Where the Action paragraph of CAAI AD ISR I–32–25–01–7 specifies ''to incorporate AMM Revision 26'', this AD requires replacing that text with ''revise the existing maintenance or inspection program, as applicable, by incorporating the information in the Nose Landing Gear Actuator Attachment Pin—Life Limit (Scrap) tasks for SHL part numbers 2247.0500.007 and 2247.0500.008''.

(4) Where the Action paragraph of CAAI AD ISR I–32–25–01–7 specifies ''to incorporate AMM Revision 32'', this AD requires replacing that text with ''revise the existing maintenance or inspection program, as applicable, by incorporating the information in the NLG Actuator Attachment Pin—Life Limit (Scrap) tasks for SHL part numbers 2247.0500.007 and 2247.0500.008''.

(i) Provisions for Alternative Actions and 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) and intervals are allowed unless they are approved as specified in the provisions of paragraph (j)(1) of this AD.

(j) Additional AD Provisions

The following provisions also apply to this AD:

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

(2) *Contacting the Manufacturer:* For any requirement in this AD to obtain instructions from a manufacturer, the instructions must be accomplished using a method approved by the Manager, International Validation Branch, FAA; or CAAI; or CAAI's authorized Designee. If approved by the CAAI Designee, the approval must include the Designee's authorized signature.

(k) Additional Information

(1) For more information about this AD, contact Trevor Carlton, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; phone: 404–474–5597; email: *trevor.p.carlton@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 this AD specifies otherwise.

(i) Civil Aviation Authority of Israel (CAAI) AD ISR I–32–25–01–7, dated January 13, 2025.

(ii) [Reserved]

(3) For CAAI material identified in this AD, contact Civil Aviation Authority of Israel (CAAI), P.O. Box 1101, Golan Street, Airport City, 70100, Israel; telephone 972–3–9774665; fax 972–3–9774592; email *aip@mot.gov.il*. You may find this material on the CAAI website at *gov.il/en/pages/israeli-airworthiness-directives*.

(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-locations* or email *fr.inspection@nara.gov*.

Issued on August 18, 2025.

Steven W. Thompson,

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

[FR Doc. 2025–15982 Filed 8–20–25; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2025–1735; Project Identifier MCAI–2024–00408–R]

RIN 2120–AA64

Airworthiness Directives; Airbus Helicopters

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: The FAA proposes to supersede Airworthiness Directive (AD) 2021–20–16, which applies to all Airbus Helicopters Model AS355E, AS 355–F, AS 355–F1, AS355F2, AS355N, and AS355NP helicopters and certain Model AS 350B3 helicopters. AD 2021–20–16 requires repetitive cleaning and visual and detailed inspections of the right-hand side of the vertical fin spar and vertical fin upper attachments for discrepancies (cracking) with corrective action, if necessary. Since the FAA issued AD 2021–20–16, Airbus Helicopters developed a modification of the upper fin assembly. This proposed AD would require the same actions as AD 2021–20–16 and would also require replacement of the upper fin assembly with a modified upper fin assembly, which would constitute terminating action for the repetitive inspections. The FAA is proposing this AD to address the unsafe condition on these products.

DATES: The FAA must receive comments on this NPRM by October 6, 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–2025–1735; or in person at Docket Operations between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this NPRM, the mandatory continuing airworthiness information (MCAI), any comments received, and other information. The street address for Docket Operations is listed above.

Material Incorporated by Reference:

- For European Union Aviation Agency (EASA) material identified in this AD, contact EASA, Konrad-Adenauer-Ufer 3, 50668 Cologne, Germany; phone: +49 221 8999 000; email: *ADs@easa.europa.eu;* website: *easa.europa.eu.* You may find the EASA material on the EASA website at *ad.easa.europa.eu.*
- You may view this material at the FAA, Office of the Regional Counsel, Southwest Region, 10101 Hillwood Parkway, Room 6N–321, Fort Worth, TX 76177. For information on the availability of this material at the FAA, call (817) 222–5110. It is also available at *regulations.gov* under Docket No. FAA–2025–1735.

FOR FURTHER INFORMATION CONTACT: Steven Warwick, Aviation Safety Engineer, FAA, 1600 Stewart Ave., Suite 410, Westbury, NY 11590; phone: (817) 222–5225; email: *steven.r.warwick@faa.gov*.

SUPPLEMENTARY INFORMATION:

Comments Invited

The FAA invites you to send any written relevant data, views, or arguments about this proposal. Send your comments to an address listed under the **ADDRESSES** section. Include ''Docket No. FAA–2025–1735; Project Identifier MCAI–2024–00408–R'' at the beginning of your comments. The most helpful comments reference a specific portion of the proposal, explain the reason for any recommended change, and include supporting data. The FAA will consider all comments received by the closing date and may amend the proposal because of those comments.

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

Confidential Business Information

CBI is commercial or financial information that is both customarily and actually treated as private by its owner. Under the Freedom of Information Act (FOIA) (5 U.S.C. 552), CBI is exempt from public disclosure. If your comments responsive to this NPRM contain commercial or financial information that is customarily treated as private, that you actually treat as private, and that is relevant or responsive to this NPRM, it is important that you clearly designate the submitted comments as CBI. Please mark each page of your submission containing CBI as ''PROPIN.'' The FAA will treat such marked submissions as confidential under the FOIA, and they will not be placed in the public docket of this NPRM. Submissions containing CBI should be sent to Steven Warwick, Aviation Safety Engineer, FAA, 1600 Stewart Ave., Suite 410, Westbury, NY 11590. Any commentary that the FAA receives which is not specifically designated as CBI will be placed in the public docket for this rulemaking.

Background

The FAA issued AD 2021–20–16, Amendment 39–21754 (86 FR 57550, dated October 18, 2021) (AD 2021–20–16), for Airbus Helicopters Model AS355E, AS 355–F, AS 355–F1, AS355F2, AS355N, and AS355NP helicopters, all serial numbers, and Model AS 350B3 helicopters, all serial numbers except those that have Airbus Helicopters Modification 073148 in production. AD 2021–20–16 was prompted by MCAI originated by EASA, which is the Technical Agent for the Member States of the European Union. EASA issued EASA AD 2021–0099, dated April 9, 2021 (EASA AD 2021–0099), to correct an unsafe condition identified as cracking in the spar of the upper part of the vertical fin and fractures in the front attachment screws.

AD 2021–20–16 requires repetitive cleaning and detailed inspections for cracking of the vertical fin spar and vertical fin upper attachments, and corrective action if necessary. The FAA issued this AD to address cracking in the spar of the upper part of the vertical fin and fractures in the front attachment screws. This condition could lead to in-flight separation of the upper part of the vertical fin, resulting in loss of control of the helicopter.

Actions Since AD 2021–20–16 Was Issued

Since the FAA issued AD 2021–20–16, EASA superseded EASA AD 2021–0099 through a series of ADs, the most recent being EASA AD 2024–0139, dated July 12, 2024 (EASA AD 2024–0139) (also referred to as ''the MCAI''). EASA AD 2024–0139 states that after a further occurrence of a crack on a Model AS355NP helicopter, EASA concluded there was a need to temporarily reduce the never-exceed-speed (V_{NE}) for all AS355 helicopters. In addition, Airbus Helicopters developed a reinforced upper fin assembly and published service information that provides instructions for this modification. EASA AD 2024–0139 retains the repetitive inspections and V_{NE} limitations in its previous ADs and also requires modification of the helicopter with the reinforced upper fin assembly, which is terminating action for inspections and limitations.

You may examine the MCAI in the AD docket at *regulations.gov* under Docket No. FAA–2025–1735.

Material Incorporated by Reference Under 1 CFR Part 51

The FAA reviewed EASA AD 2024–0139, which specifies procedures for amending the rotorcraft flight manual (RFM) and installing a placard to add a speed limitation. EASA AD 2024–0139 allows exceeding the speed limitation on certain maintenance flights and specifies accomplishing an inspection after each flight where the speed is exceeded. EASA AD 2024–0139 also requires repetitively inspecting the right-hand external side around the two top screws of certain upper fin spars for a crack. EASA AD 2024–0139 specifies that installing an upper fin assembly P/N 355A14–0522–1751 constitutes terminating action for the repetitive inspection requirements and the speed limitations. Lastly, EASA AD 2024–0139 prohibits installing affected upper fin assemblies on any helicopter.

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

FAA's Determination

These products have been approved by the aviation authority of another country and are approved for operation in the United States. Pursuant to the FAA's bilateral agreement with this State of Design Authority, it has notified the FAA of the unsafe condition

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

Proposed AD Requirements in This NPRM

This proposed AD would require accomplishing the actions specified in EASA AD 2024–0139, described previously, as incorporated by reference, except for any differences identified as exceptions in the regulatory text of this proposed AD. See ''Differences Between this Proposed AD and the MCAI'' for a general discussion of these differences.

Explanation of Required Compliance Information

In the FAA's ongoing efforts to improve the efficiency of the AD process, the FAA developed a process to use some civil aviation authority (CAA) ADs as the primary source of information for compliance with requirements for corresponding FAA ADs. The FAA has been coordinating this process with manufacturers and CAAs. As a result, the FAA proposes to incorporate EASA AD 2024–0139 by reference in the FAA final rule. This proposed AD would, therefore, require compliance with EASA AD 2024–0139 in its entirety through that incorporation, except for any differences identified as exceptions in the regulatory text of this proposed AD. Using common terms that are the same as the heading of a particular section in EASA AD 2024–0139 does not mean that operators need comply only with that section. For example, where the AD requirement refers to ''all required actions and compliance times,'' compliance with this AD requirement is not limited to the section titled ''Required Action(s) and Compliance Time(s)'' in EASA AD 2024–0139. Material referenced in EASA AD 2024–0139 for compliance will be available at *www.regulations.gov* by searching for and locating Docket No. FAA–2025–1735 after the FAA final rule is published.

Differences Between This Proposed AD and the MCAI

While the service material referenced in EASA AD 2024–0139 requires accomplishing dye penetrant inspections, this proposed AD would require a dye penetrant inspection (DPI) if the affected part has previously been inspected by a DPI method; otherwise, this proposed AD would require a fluorescent penetrant inspection (FPI).

Where EASA AD 2024–0139 and the service material referenced in EASA AD 2024–0139 specify contacting Airbus Helicopters for repair instructions, this proposed AD would require using a method approved by the FAA, EASA, or Airbus Helicopters' EASA Design Organization Approval.

EASA AD 2024–0139 requires informing all flight crew and operating the helicopter accordingly, whereas this proposed AD would not because those actions are already required by FAA regulations.

EASA AD 2024–0139 allows a pilot to perform some actions, and this proposed AD would not.

Costs of Compliance

The FAA estimates that this AD, if adopted as proposed, would affect 650 helicopters of U.S. registry. Labor rates are estimated at $85 per work-hour. Based on these numbers, the FAA estimates the following costs to comply with this proposed AD.

Amending the RFM and installing a placard to incorporate a speed limitation would take approximately 1 work-hour and parts would cost $25 for an estimated cost of $110 per helicopter and $71,500 for the U.S. fleet.

Cleaning and inspecting the vertical fin spar would take 2.5 work-hours for an estimated cost of $213 per helicopter and $138,450 for the U.S. fleet, per inspection cycle.

Modifying the upper fin spar would take 19 work-hours and parts would cost $25,360 for an estimated cost of $26,975 per helicopter and $17,533,750 for the U.S. fleet.

If required, performing a DPI or FPI on the upper fin spar would take 1 work-hour for an estimated cost of $85 per helicopter.

The extent of damage found during the required inspection of the vertical fin spar could vary significantly from helicopter to helicopter. The agency has no way of determining how much damage may be found during these inspections, the cost to repair damaged parts of each helicopter, or the number of helicopters that might need these repairs.

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

Authority for This Rulemaking

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

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

Regulatory Findings

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 that the proposed regulation:

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

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

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

List of Subjects in 14 CFR Part 39

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

The Proposed Amendment

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

PART 39—AIRWORTHINESS DIRECTIVES

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

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

§ 39.13 [Amended]

■ 2. The FAA amends § 39.13 by:

■ a. Removing Airworthiness Directive 2021–20–16, Amendment 39–21754 (86 FR 57550, dated October 18, 2021); and

■ b. Adding the following new airworthiness directive:

Airbus Helicopters: Docket No. FAA–2025–1735; Project Identifier MCAI–2024–00408–R.

(a) Comments Due Date

The FAA must receive comments on this airworthiness directive (AD) by October 6, 2025.

(b) Affected ADs

This AD replaces AD 2021–20–16, Amendment 39–21754 (86 FR 57550, dated October 18, 2021).

(c) Applicability

This AD applies to Airbus Helicopters Model AS 350B3, AS355E, AS 355–F, AS 355–F1, AS355F2, AS355N, and AS355NP helicopters, certificated in any category, as identified in European Union Aviation Safety Agency AD 2024–0139, dated July 12, 2024 (EASA AD 2024–0139).

(d) Subject

Joint Aircraft System Component (JASC) Code 5531, Vertical Stabilizer, Spar/Rib Structure.

(e) Unsafe Condition

This AD was prompted by a report of a structural crack in the vertical attachment spar of the upper tail fin and fractures in its two front attachment screws. The FAA is issuing this AD to address cracking in the upper fin spar and fracturing of the front attachment screws. The unsafe condition, if not addressed, could result in in-flight separation of the upper part of the vertical fin and subsequent loss of control of the helicopter.

(f) Compliance

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

(g) Requirements

Except as specified in paragraphs (h) and (i) of this AD: Comply with all required actions and compliance times specified in, and in accordance with, EASA AD 2024–0139.

(h) Exceptions to EASA AD 2024–0139

(1) Where EASA AD 2024–0139 requires compliance in terms of flight hours, this AD requires using hours time-in-service.

(2) Where EASA AD 2024–0139 refers to its effective date or to any of the dates listed in paragraphs (h)(2)(i) through (iv) of this AD, this AD requires using the effective date of this AD.

(i) July 12, 2017 (the effective date of EASA AD 2017–0114, dated June 28, 2017).

(ii) April 23, 2021 (the effective date of EASA AD 2021–0099, dated April 9, 2021).

(iii) April 14, 2023 (the effective date of EASA AD 2023–0075, dated April 7, 2023).

(iv) May 18, 2023 (the effective date of EASA AD 2023–0089, dated May 4, 2023).

(3) Where paragraph (1) of EASA AD 2024–0139 specifies to inform all flight crew and operate the helicopter accordingly, this AD does not require those actions.

(4) Although the service material referenced in EASA AD 2024–0139 allows some actions to be performed by a pilot, this AD does not.

(5) Where the service material referenced in EASA AD 2024–0139 states ''if you are not sure'', this AD requires replacing that text with ''to confirm suspected cracks (scratch, line, misalignment, etc.)''.

(6) Where the service material referenced in EASA AD 2024–0139 states to do a dye-penetrant inspection (DPI), this AD requires the actions in paragraph (h)(6)(i), (ii), or (iii) of this AD, as applicable:

(i) If the right-hand (RH) side of the spar (a) has previously been inspected by a DPI method, accomplish a DPI of the RH side of the spar (a).

(ii) If the RH side of the spar (a) has not previously been inspected by a DPI, accomplish a fluorescent penetrant inspection (FPI) of the RH-hand side of the spar (a), instead of a DPI.

(iii) If you cannot determine whether the RH side of the spar (a) has previously been inspected by a DPI, clean all surfaces to be inspected and accomplish an FPI of the RH side of the spar (a) instead of a DPI.

Note 1 to paragraph (h)(6)(iii): Work Card 20–02–09–101 (MTC) contains DPI information related to this AD.

Note 2 to paragraph (h)(6)(iii): When entering compliance with the applicable paragraph of the AD into the helicopter maintenance records, explicitly documenting that a dye penetrant inspection was performed improves the accuracy of maintenance records regarding use of dye penetrant inspection dye.

(7) Where the service material referenced in EASA AD 2024–0139 refers to damage, for this AD, damage is defined as looseness, corrosion, broken or missing lockwire, loss of protective surface finish, deformation, fracture, crack, or nick.

(8) Where paragraph (8) of EASA AD 2024–0139 states ''maintenance flight'', this AD requires replacing that text with ''flight to perform an operational check as specified in 14 CFR 91.407''.

(9) Where paragraph (10) of EASA AD 2024–0139 and the service material referenced in EASA AD 2024–0139 specify contacting Airbus Helicopters for repair instructions, this AD requires using a repair method approved by the FAA, EASA, or Airbus Helicopters' EASA Design Organization Approval (DOA). If approved by the DOA, the approval must include the DOA-authorized signature.

(10) Where the service material referenced in EASA AD 2024–0139 specifies to discard parts, this AD requires removing these parts from service.

(11) Where paragraph (16) of EASA AD 2024–00139 only allows credit for the initial actions in paragraphs (4) through (9) of EASA AD 2024–00139, this AD allows credit for any action in paragraphs (4) through (9) of EASA AD 2024–00139.

(12) This AD does not adopt the ''Remarks'' section of EASA AD 2024–0139.

(i) No Reporting Requirement

Although the material referenced in EASA AD 2024–0139 specifies to submit certain information to the manufacturer, this AD does not require that action.

(j) Alternative Methods of Compliance (AMOCs)

(1) The Manager, International Validation Branch, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send your request to your principal inspector or local Flight Standards District Office, as appropriate. If sending information directly to the manager of the International Validation Branch, send it to the attention of the person identified in paragraph (k) of this AD and email to: *AMOC@faa.gov.*

(2) Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the local Flight Standards District Office/certificate holding district office.

(k) Additional Information

For more information about this AD, contact Steven Warwick, Aviation Safety Engineer, FAA, 1600 Stewart Ave., Suite 410, Westbury, NY 11590; phone: (817) 222–5225; email: *steven.r.warwick@faa.gov.*

(l) Material Incorporated by Reference

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

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

(i) European Union Aviation Safety Agency (EASA) AD 2024–0139, dated July 12, 2024.

(ii) [Reserved]

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

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

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

Issued on August 18, 2025.

Steven W. Thompson,

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

[FR Doc. 2025–16012 Filed 8–20–25; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF THE INTERIOR

Office of Surface Mining Reclamation and Enforcement

30 CFR Part 926

[SATS No. MT–049–FOR; Docket ID: OSM–2025–0022; S1D1S SS08011000 SX064A000 256S180110; S2D2S SS08011000 SX064A000 25XS501520]

Montana Regulatory Program

AGENCY: Office of Surface Mining Reclamation and Enforcement, Interior.

ACTION: Proposed rule; public comment period and opportunity for public hearing on proposed amendment.

SUMMARY: We, the Office of Surface Mining Reclamation and Enforcement (OSMRE), are announcing receipt of a proposed amendment to the Montana regulatory program (the Montana program) under the Surface Mining Control and Reclamation Act of 1977 (SMCRA or the Act). Montana submitted this proposed amendment to us, on its own initiative, following the passage of Montana House Bill 633 (HB 633) during the 2025 legislative session. Montana proposes several changes to the Montana Code Annotated (MCA). Montana proposes that objections to the Montana Department of Environmental Quality's (DEQ) decisions are limited to issues previously raised in a comment or written objection submitted during the relevant comment period. The submittal also requires cumulative hydrologic impact assessments to be published along with DEQ's acceptability determination. Also, Montana adds contingencies in HB 633 that will not be codified into law but that will apply to the proposed amendment: ''Saving clause,'' ''Severability,'' ''Contingent voidness,'' and ''Effective date.''

DATES: We will accept written comments on this amendment until 4:00 p.m., Mountain Daylight Time (M.D.T.) September 22, 2025. If requested, we may hold a public hearing or meeting on the amendment on September 15, 2025. We will accept requests to speak at a hearing until 4:00 p.m., M.D.T. on September 5, 2025.

ADDRESSES: You may submit comments, identified by SATS No. MT–049–FOR, by any of the following methods:

- *Mail/Hand Delivery:* OSMRE, Attn: Jeffrey Fleischman, P.O. Box 11018, 100 East B Street, Room 4100, Casper, Wyoming 82602.
- *Fax:* (307) 261–6552.
- *Federal eRulemaking Portal:* The amendment has been assigned Docket ID: OSM–2025–0022. If you would like to submit comments, go to *https://www.regulations.gov.* Follow the instructions for submitting comments.

Instructions: All submissions received must include the agency name and docket number for this rulemaking. For detailed instructions on submitting comments and additional information on the rulemaking process, see the ''Public Comment Procedures'' heading of the **SUPPLEMENTARY INFORMATION** section of this document.

Docket: For access to the docket to review copies of the Montana program, this amendment, a listing of any scheduled public hearings or meetings, and all written comments received in response to this document, you must go to the address listed below during normal business hours, Monday through Friday, excluding holidays. The full text of the program amendment is available for you to read at *www.regulations.gov.* Or you may receive one free copy of the amendment by contacting OSMRE's Casper Field Office: Attn: Jeffrey Fleischman, Field Office Director, Office of Surface Mining Reclamation and Enforcement, 100 East B Street, Casper, Wyoming 82602, Telephone: (307) 261–6550, Email: *jfleischman@osmre.gov.*

In addition, you may review a copy of the amendment during regular business hours at the following location: Attn: Eric Dahlgren, Bureau Chief, Mining Bureau, Montana Department of Environmental Quality, 2401 Colonial Drive, Helena, MT 59601–0901, Telephone: (406) 444–5245, Email: *edahlgren@mt.gov.*

FOR FURTHER INFORMATION CONTACT: Attn: Jeffrey Fleischman, Field Office Director, Office of Surface Mining Reclamation and Enforcement, 100 East B Street, Casper, Wyoming 82602, Telephone: (307) 261–6550, Email: *jfleischman@osmre.gov.*

SUPPLEMENTARY INFORMATION:

I. Background on the Montana Program
II. Description of the Proposed Amendment
III. Public Comment Procedures
IV. Procedural Determinations

I. Background on the Montana Program

Subject to OSMRE's oversight, section 503(a) of the Act permits a State to assume primacy for the regulation of surface coal mining and reclamation operations on non-Federal and non-Indian lands within its borders by demonstrating that its approved, State program includes, among other things, State laws and regulations that govern surface coal mining and reclamation operations in accordance with the Act and consistent with the Federal regulations. *See* 30 U.S.C. 1253(a)(1) and (7).

On the basis of these criteria, the Secretary of the Interior conditionally approved the Montana program on April 1, 1980. You can find background information on the Montana program, including the Secretary's findings, the disposition of comments, and conditions of approval of the Montana program in the April 1, 1980, **Federal Register** (45 FR 21560). You can also find later actions concerning the Montana program and program amendments at 30 CFR 926.15.

II. Description of the Proposed Amendment

By letter dated June 6, 2025 (Administrative Record No. MT–049–01), Montana sent us an amendment to its program under SMCRA (30 U.S.C. 1201 *et seq.*). We found Montana's proposed amendment to be administratively complete on June 9, 2025. Montana submitted this proposed amendment to us, on its own initiative, following the passage of Montana House Bill 633 (HB 633) during the 2025 legislative session.

Montana first proposes changes to procedures for contested case hearings at 82–4–206(1) of the MCA. Montana proposes that for an applicant, permittee, or person otherwise adversely affected by a DEQ decision to request a hearing with the Board of Environmental Review, that party must have submitted comments or written objections during the relevant comment period.

Second, at 82–4–231(8)(e), Montana proposes that where DEQ requires a cumulative hydrologic impact assessment, DEQ must publish a draft of that assessment along with DEQ's determination that the application is administratively complete and acceptable for review.

Third, at 82–4–231(9), Montana proposes that an applicant, permittee, landowner, or person adversely affected by DEQ's permit decision may request a hearing with the Board of Environmental Review only if they submitted a written objection pursuant to 82–4–231(8). Furthermore, the hearing must be limited to issues raised in written objections and issues not addressed by DEQ in its notice of determination published in accordance with 82–4–231(8)(e).

Finally, HB 633 adds four contingencies that affect the amended sections above, but that are not codified into the MCA. This includes a ''Saving'' clause that does not allow HB 633 to affect the rights and duties that matured, penalties that were incurred, or proceedings that were begun before the effective date; a ''Severability'' clause

that would allow valid parts to remain effective if other parts are found invalid; a ''Contingent voidness'' clause that would void any portion of the act disapproved by the U.S. Secretary of the Interior; and an ''Effective date'' clause, which makes HB 633 effective the date in which it is passed and approved.

The full text of the program amendment is available for you to read at the locations listed above under **ADDRESSES** or at *www.regulations.gov.*

III. Public Comment Procedures

Under the provisions of 30 CFR 732.17(h), we are seeking your comments on whether the amendment satisfies the applicable program approval criteria of 30 CFR 732.15. If we approve the amendment, it will become part of the State program.

Electronic or Written Comments

If you submit written or electronic comments on the proposed rule during the 30-day comment period, they should be specific, confined to issues pertinent to the proposed regulations, and explain the reason for any recommended change. We appreciate any and all comments, but those most useful and likely to influence decisions on the final regulations will be those that either involve personal experience or include citations to and analyses of SMCRA, its legislative history, its implementing regulations, case law, other pertinent State or Federal laws or regulations, technical literature, or other relevant publications.

We cannot ensure that comments received after the close of the comment period (see DATES) or sent to an address other than those listed (see **ADDRESSES**) will be included in the docket for this rulemaking and considered.

Public Availability of Comments

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.

Public Hearing

If you wish to speak at the public hearing, contact the person listed under **FOR FURTHER INFORMATION CONTACT** by 4:00 p.m., M.D.T. on September 5, 2025. If you are disabled and need reasonable accommodations to attend a public hearing, contact the person listed under **FOR FURTHER INFORMATION CONTACT**. We will arrange the location and time of the hearing with those persons requesting the hearing. If no one requests an opportunity to speak, we will not hold a hearing.

To assist the transcriber and ensure an accurate record, we request, if possible, that each person who speaks at the public hearing provide us with a written copy of his or her comments. The public hearing will continue on the specified date until everyone scheduled to speak has been given an opportunity to be heard. If you are in the audience and have not been scheduled to speak and wish to do so, you will be allowed to speak after those who have been scheduled. We will end the hearing after everyone scheduled to speak and others present in the audience who wish to speak, have been heard.

Public Meeting

If only one person requests an opportunity to speak, we may hold a public meeting rather than a public hearing. If you wish to meet with us to discuss the amendment, please request a meeting by contacting the person listed under **FOR FURTHER INFORMATION CONTACT**. All such meetings are open to the public and, if possible, we will post notices of meetings at the locations listed under **ADDRESSES**. We will make a written summary of each meeting a part of the administrative record.

IV. Procedural Determinations

Executive Order (E.O.) 12866—Regulatory Planning and Review and E.O. 13563—Improving Regulation and Regulatory Review

E.O. 12866 provides that the Office of Information and Regulatory Affairs in the Office of Management and Budget (OMB) will review all significant rules. Pursuant to OMB guidance, dated October 12, 1993, the approval of State program is exempted from OMB review under E.O.12866. E.O. 13563 reaffirms and supplements E.O. 12866.

Other Laws and E.O.s Affecting Rulemaking

When a State submits a program amendment to OSMRE for review, our regulations at 30 CFR 732.17(h) require us to publish a notice in the **Federal Register** indicating receipt of the proposed amendment, its text or a summary of its terms, and an opportunity for public comment. We conclude our review of the proposed amendment after the close of the public comment period and determine whether the amendment should be approved, approved in part, or not approved. At that time, we will also make the determinations and certifications required by the various laws and E.O.s governing the rulemaking process and include them in the final rule.

List of Subjects in 30 CFR Part 926

Intergovernmental relations, Surface mining, Underground mining.

Marcelo Calle,

Exercising the Delegated Authority of the Regional Director,Unified Regions 5, 7–11.

[FR Doc. 2025–15985 Filed 8–20–25; 8:45 am]

BILLING CODE 4310–05–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R09–OAR–2025–0303; FRL–12838–01–R9]

Air Plan Approval; Arizona; Maricopa County Air Quality Department; Petroleum Solvent Dry Cleaning

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The Environmental Protection Agency (EPA) is proposing to approve a revision to the Maricopa County Air Quality Department (MCAQD) portion of the Arizona State Implementation Plan (SIP). This revision clarifies definitions used in a rule that limits volatile organic compounds (VOCs) emissions from petroleum solvents used in dry cleaning. We are proposing to approve the rule revisions under the Clean Air Act (CAA or ''Act''). We are taking comments on this proposal and plan to follow with a final action.

DATES: Comments must be received on or before September 22, 2025.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA–R09–OAR–2025–0303 at *https://www.regulations.gov.* For comments submitted at *Regulations.gov,* follow the online instructions for submitting comments. Once submitted, comments cannot be edited or removed from *Regulations.gov.* The EPA may publish any comment received to its public docket. Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Multimedia submissions (audio, video, etc.) must be accompanied by a written comment. The written comment is considered the official comment and should include discussion of all points you wish to

make. The EPA will generally not consider comments or comment contents located outside of the primary submission (*i.e.,* on the web, cloud, or other file sharing system). For additional submission methods, please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section. For the full EPA public comment policy, information about CBI or multimedia submissions, and general guidance on making effective comments, please visit *https://www.epa.gov/dockets/commenting-epa-dockets.* If you need assistance in a language other than English or if you are a person with a disability who needs a reasonable accommodation at no cost to you, please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section.

FOR FURTHER INFORMATION CONTACT: La Kenya Evans-Hopper, EPA Region IX, 75 Hawthorne St., San Francisco, CA 94105; telephone number: (415) 972–3245; email address: *evanshopper.lakenya@epa.gov.*

SUPPLEMENTARY INFORMATION: Throughout this document, ''we,'' ''us,'' and ''our'' refer to the EPA.

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I. The State's Submittal

A. What rule did the State submit?

In April 2016, the EPA analyzed Maricopa County's SIP-approved rules to determine if any outdated rules could potentially be replaced by newer provisions that are currently only locally applicable. The analysis resulted in recommendations for updating the Arizona SIP by rescinding obsolete two- and three-digit rules either with, or without, replacement. On September 13, 2017, the Arizona Department of Environmental Quality (ADEQ) submitted to the EPA requests from MCAQD to act on a series of rules, including the rescission of various local rules (''2017 SIP Submittal''). Table 1 lists the rule addressed by this proposal with the dates that it was adopted by the local air agency and submitted to the EPA by ADEQ.

TABLE 1—SUBMITTED RULE

Local agency	Rule No.	Rule title	Revised	Submitted
MCAQD	333	Petroleum Solvent Dry Cleaning	09/25/2013	09/13/2017

On March 13, 2018, the 2017 SIP submittal was deemed by operation of law to be complete. We have reviewed the submittal to ensure it meets the completeness criteria in 40 CFR part 51, appendix V.

B. Are there other versions of this rule?

On February 9, 1998 (63 FR 6489), we approved an earlier version of MCAQD Rule 333, ''Petroluem Solvent Dry Cleaning,'' (''Rule 333''), as revised on June 19, 1996, into the SIP. MCAQD adopted revisions to the SIP-approved version of Rule 333 on September 25, 2013, and ADEQ submitted them to us on September 13, 2017. In its submittal letter, ADEQ requested that, upon approval of the revised version of Rule 333, the EPA remove the old version of this rule from the SIP. If we finalize this rulemaking as proposed, the September 25, 2013 version of Rule 333 will replace the previously approved version of this rule in the SIP.

C. What is the purpose of the submitted rule revision?

In 2016, the EPA reformatted the Arizona SIP as codified in the Code of Federal Regulations (CFR) into a tabulated ''notebook'' format. While developing the updated SIP tables for that conversion, the EPA worked closely with ADEQ and the local air agencies to clarify what was in their applicable SIP, including older provisions that had not been updated or replaced to reflect local rulemakings. The result of that coordination was that MCAQD requested to rescind or replace many obsolete rules in their federally enforceable SIP in favor of rules that reflect their current locally enforceable rulebook.

MCAQD Rule 333 regulates the emissions of VOCs from petroleum solvents used in dry cleaning and at dry cleaning facilities. Emissions of VOCs contribute to the production of ground-level ozone and smog that harm human health and the environment. Section 110(a) of the CAA requires states to submit regulations that control VOC emissions. MCAQD Rule 333 was revised to clarify that the definitions in MCAQD Rule 100 [1] are applicable to revised MCAQD Rule 333. This includes the definition of VOC that was removed from MCAQD Rule 333 and added to MCAQD Rule 100.

The EPA's technical support document (TSD) has more information about this rule.

II. The EPA's Evaluation and Action

A. How is the EPA evaluating the rule revisions?

Under the provisions of CAA section 110(l), SIP revisions must not interfere with attainment, reasonable further progress (RFP), or any other applicable requirement of the CAA. Therefore, we evaluated whether the revisions to Rule 333 would comply with CAA section 110(l).

Guidance and policy documents that we used to evaluate revision and/or relaxation requirements for the applicable criteria pollutants include the following:

1. ''State Implementation Plans; General Preamble for the Implementation of Title I of the Clean Air Act Amendments of 1990,'' 57 FR 13498 (April 16, 1992); 57 FR 18070 (April 28, 1992).

B. Do the rule revisions meet the evaluation criteria?

We evaluated the rule revisions to ensure they meet CAA requirements and are consistent with relevant guidance regarding SIP revisions. Based on our review, the revisions meet the relevant requirements and would strengthen the overall SIP by ensuring a consistent definition for VOC is being implemented in the MCAQD portion of the Arizona SIP. The revisions do not relax any requirements. The TSD has more information on our evaluation.

C. Proposed Action and Public Comment

As authorized in section 110(k)(3) of the Act, the EPA proposes to approve the submitted rule because it fulfills all relevant requirements. We will accept comments from the public on this

[1] MDAQD Rule 100, ''General Provisions and Definitions,'' revised August 9, 2023, SIP-approved April 4, 2024 (89 FR 23521).

proposal until September 22, 2025. If we take final action to approve the submitted rule, our final action will incorporate this rule into the federally enforceable SIP.

III. Incorporation by Reference

In this document, the EPA is proposing to include in a final EPA rule regulatory text that includes incorporation by reference. In accordance with requirements of 1 CFR 51.5, the EPA is proposing to incorporate by reference Maricopa County Air Quality Department Rule 333, Petroleum Solvent Dry Cleaning, revised on September 25, 2013, which regulates VOC emissions from petroleum solvents used in dry cleaning. The EPA has made, and will continue to make, these materials available through *https://www.regulations.gov* and at the EPA Region IX Office (please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section of this preamble for more information).

IV. Statutory and Executive Order Reviews

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

- Is not a significant regulatory action subject to review by the Office of Management and Budget under Executive Order 12866 (58 FR 51735, October 4, 1993);
- Is not subject to Executive Order 14192 (90 FR 9065, February 6, 2025) because SIP actions are exempt from review under Executive Order 12866;
- Does not impose an information collection burden under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*);
- Is certified as not having a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*);
- Does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4);
- Does not have federalism implications as specified in Executive Order 13132 (64 FR 43255, August 10, 1999);
- Is not subject to Executive Order 13045 (62 FR 19885, April 23, 1997) because it proposes to approve a state program;
- Is not a significant regulatory action subject to Executive Order 13211 (66 FR 28355, May 22, 2001); and
- Is not subject to requirements of section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) because application of those requirements would be inconsistent with the CAA.

In addition, the SIP is not approved to apply on any Indian reservation land or in any other area where the EPA or an Indian Tribe has demonstrated that a Tribe has jurisdiction. In those areas of Indian country, the rule does not have Tribal implications and will not impose substantial direct costs on Tribal governments or preempt Tribal law as specified by Executive Order 13175 (65 FR 67249, November 9, 2000).

List of Subjects in 40 CFR Part 52

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

Dated: August 7, 2025.

Joshua F.W. Cook,

Regional Administrator, Region IX.

[FR Doc. 2025–15984 Filed 8–20–25; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R04–OAR–2024–0387; FRL–12923–01–R4]

Air Plan Approval; Alabama; Standards for Granting Permits and Major New Source Review Permit Rules

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The Environmental Protection Agency (EPA) is proposing to approve a revision to the Alabama State Implementation Plan (SIP) submitted by the Alabama Department of Environmental Management (ADEM) on December 20, 2023. The proposed SIP revision consists of minor changes to certain air permit regulations that have been revised by the State agency since EPA last approved those provisions. EPA is proposing to approve the SIP revision pursuant to the Clean Air Act (CAA or Act).

DATES: Comments must be received on or before September 11, 2025.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA–R04–OAR–2024–0387 at *regulations.gov.* Follow the online instructions for submitting comments. Once submitted, comments cannot be edited or removed from *regulations.gov.* EPA may publish any comment received to its public docket. Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Multimedia submissions (audio, video, etc.) must be accompanied by a written comment. The written comment is considered the official comment and should include discussion of all points you wish to make. EPA will generally not consider comments or comment contents located outside of the primary submission (*i.e.,* on the web, cloud, or other file sharing system). For additional submission methods, the full EPA public comment policy, information about CBI or multimedia submissions, and general guidance on making effective comments, please visit *https://www.epa.gov/dockets/commenting-epa-dockets.*

FOR FURTHER INFORMATION CONTACT: Faith Goddard, Multi-Air Pollutant Coordination Section, Air Planning and Implementation Branch, Air and Radiation Division, U.S. Environmental Protection Agency, Region 4, 61 Forsyth Street SW, Atlanta, Georgia 30303–8960. The telephone number is (404) 562–8757. Ms. Goddard can also be reached via electronic mail at *goddard.faith@epa.gov.*

SUPPLEMENTARY INFORMATION:

I. Background

On December 20, 2023, ADEM submitted a revision to Alabama Administrative Code (Ala. Admin. Code) Chapter 335–3–14 in the Alabama SIP.[1] In the Alabama SIP, Chapter 335–

[1] The December 20, 2023, submittal contains revisions to other Alabama SIP-approved rules that are not addressed in this notice of proposed rulemaking (NPRM). EPA will act on those changes in separate rulemakings. The December 20, 2023, SIP revision addressed in this NPRM originally transmitted changes to Ala. Admin. Code Chapters 335–3–14 and 335–3–15. On March 8, 2024, ADEM submitted a letter withdrawing the changes to Chapter 335–3–15 and certain changes to Chapter 335–3–14. The March 8, 2024, withdrawal letter is in the rulemaking docket for this proposed action (the March 8, 2024, withdrawal letter incorrectly notes the SIP submittal date as December 19, 2023).

Continued

3–14 contains ADEM's SIP-approved air permit regulations. In the December 20, 2023, SIP revision, ADEM seeks to revise Rules 335–3–14–.03, 335–3–14–.04, and 335–3–14–.05 to correct administrative errors and update outdated information. Rule 335–3–14–.03 contains standards for granting air permits within the State. Rules 335–3–14–.04 and 335–3–14–.05 contain ADEM's CAA ''New Source Review'' (NSR) permitting program regulations for ''major'' stationary sources (''major NSR'' program regulations). Section 335–3–14–.04 contains ADEM's ''Prevention of Significant Deterioration'' (PSD) permitting program regulations, and Section 335–3–14–.05 contains ADEM's ''Nonattainment NSR'' (NNSR) permitting program regulations.

The CAA NSR program is a preconstruction review and air permitting program that applies to certain new and modified stationary sources of air pollution regulated under the CAA. CAA section 110(a)(2)(C) provides that SIPs must include a program to regulate the construction and modification of any stationary source as necessary to assure that the national ambient air quality standards (NAAQS) are achieved and cites to more detailed CAA permitting requirements that pertain to the construction of major sources of air pollution, known collectively as the CAA NSR program. The CAA NSR program consists of the following three programs: (1) PSD for major stationary sources and major modifications in attainment and unclassifiable areas; (2) NNSR for major stationary sources and major modifications locating in or impacting nonattainment areas, and (3) minor NSR, which applies generally to attainment, unclassifiable, and nonattainment areas for new sources and modifications that fall below major NSR thresholds. Federal regulations setting forth these NSR programs are prescribed at 40 CFR part 51, subpart I, *Review of New Sources and Modifications,* and Appendix S to part 51, *Emission Offset Interpretive Ruling.* Specifically, 40 CFR 51.165 prescribes minimum SIP requirements for NNSR programs in conjunction with Appendix S to part 51, and 40 CFR 51.166 prescribes minimum SIP requirements for PSD programs. The regulations at 40 CFR 51.160–164 are generally applicable to all NSR programs, but because of more specific implementing regulations for the NNSR and PSD programs at 40 CFR 51.165 and 51.166, respectively, they serve primarily as the basis for EPA's evaluation of minor NSR programs. In this NPRM, EPA is evaluating minor changes to ADEM's standards for granting permits and major NSR permit rules and is proposing to approve these revisions because they meet all the applicable CAA requirements. *See* CAA section 110(k)(3).

II. Analysis of the State's SIP Submittal

A. Rule 335–3–14–.03, Standards for Granting Permits

In the December 20, 2023, SIP revision, ADEM seeks to revise Rule 335–3–14–.03 to correct a cross-reference citation at Rule 335–3–14–.03(1)(g)1 to the significant impact levels listed in subparagraph (1)(g).[2] EPA proposes to approve this administrative correction as consistent with CAA requirements.[3]

B. Rule 335–3–14–.04, Air Permits Authorizing Construction in Clean Air Areas [Prevention of Significant Deterioration Permitting (PSD)]

In the December 20, 2023, SIP revision, ADEM seeks to revise Rule 335–3–14–.04 to make administrative changes at Rules 335–3–14–.04(2)(a)1 and 335–3–14–.04(2)(bbb) and a clarifying change at Rule 335–3–14–.04(15)(e).[4] ADEM revises the definition of ''major stationary source'' at Rule 335–3–14–.04(2)(a)1 by numbering the list of major stationary source categories, renumbering subsequent parts of the definition, removing the word ''and,'' and correcting typographical errors by removing an unnecessary hyphen and changing ''changes'' to ''change.'' ADEM also changes ''section'' to ''subparagraph'' at Rule 335–3–14–.04(2)(bbb) and clarifies that the ''baseline concentration'' for evaluation of the maximum allowable increase at Rule 335–3–14–.04(15)(e) is the ''minor source baseline concentration,'' consistent with the federal PSD regulations.[5] EPA proposes to approve these administrative and clarifying changes as consistent with CAA requirements.

C. Rule 335–3–14–.05, Air Permits Authorizing Construction in or Near Nonattainment Areas

In the December 20, 2023, SIP revision, ADEM seeks to revise Rule 335–3–14–.05 to make administrative changes at Rules 335–3–14–.05(1)(k) and 335–3–14–.05(4)(d), correct a spelling error at Rule 335–3–14–.05(3), and update outdated information and references at Rule 335–3–14–.05(4)(e).[6] ADEM revises Rule 335–3–14–.05(1)(k) by numbering the stationary source categories listed therein, corrects a typographical error at Rule 335–3–14–.05(3) by changing ''nonattainment are'' to ''nonattainment area,'' and changes ''section'' to ''paragraph'' at Rule 335–3–14–.05(4)(d). ADEM also updates Rule 335–3–14–.05(4)(e) to provide that a source may obtain an emissions credit, also referred to as an offset credit, in cases where a hydrocarbon is replaced by a compound listed as having negligible photochemical reactivity in 40 CFR 51.100(s), consistent with the federal NNSR regulations. This update deletes an outdated reference to EPA's ''Recommended Policy on Control of Volatile Organic Compounds.'' [7] *See* 42 FR 35314, July 8, 1977. EPA proposes to approve these administrative changes, the correction, and the offset credit update as consistent with CAA requirements.

III. Proposed Action

For the reasons discussed in Section II of this NPRM, EPA is proposing to approve ADEM's December 20, 2023, SIP revision with changes to Ala. Admin. Code Rules 335–3–14–.03, .04, and .05. EPA is proposing to approve Rule 335–3–14–.03, as revised to incorporate an administrative correction; Rule 335–3–14–.04, as revised to incorporate administrative and clarifying changes; and Rule 335–3–14–.05, as revised to incorporate administrative changes, a correction, and an offset credit update. Given the nature of these changes, they will not interfere with any applicable requirement concerning attainment and reasonable further progress, or any other applicable CAA requirement.[8]

IV. Incorporation by Reference

In this document, EPA is proposing to include in a final EPA rule regulatory text that includes incorporation by reference. In accordance with

In this NPRM, EPA is proposing action on the changes to Chapter 335–3–14 remaining before EPA for consideration.

[2] Section 335–3–14–.03 was originally approved into the SIP on May 31, 1972, with periodic revisions approved through September 26, 2012. *See* 37 FR 10842, 77 FR 59100.

[3] Changes to Rule 335–3–14–.03(1)(h) were withdrawn by ADEM from the December 20, 2023, SIP revision on March 8, 2024.

[4] Section 335–3–14–.04 was originally approved into the SIP on November 10, 1981, with periodic revisions approved through July 3, 2019. *See* 46 FR 55517, 84 FR 31741.

[5] *See* 40 CFR 51.166(p)(4).

[6] Section 335–3–14–.05 was originally approved into the SIP on November 26, 1979, with periodic revisions approved through December 14, 2018. *See* 44 FR 67375, 83 FR 64285.

[7] *See* 40 CFR 51.165(a)(3)(ii)(D), 40 CFR 51.100(s).

[8] *See* CAA section 110(l).

requirements of 1 CFR 51.5, and as discussed in Sections I through III of this preamble, EPA is proposing to incorporate by reference Ala. Admin. Code Rule 335–3–14–.03, *Standards for Granting Permits,* state-effective February 12, 2024, except that EPA is not proposing to incorporate by reference the February 12, 2024, state-effective version of Rule 335–3–14–.03(1)(h).[9] EPA is also proposing to incorporate by reference Ala. Admin. Code Rule 335–3–14–.04, *Air Permits Authorizing Construction in Clean Air Areas [Prevention of Significant Deterioration Permitting (PSD)],* state-effective February 12, 2024, with the following exceptions: EPA is not proposing to incorporate by reference Rule 335–3–14–.04(2)(w)1, which lists a 100 tons per year significance threshold for regulated NSR pollutants not otherwise specified at Rule 335–3–14–.04(2)(w);[10] the second and third sentences of paragraph 335–3–14–.04(2)(bbb)2 and the second and fourth sentences of paragraph 335–3–14–.04(2)(bbb)3;[11] or the significant impact levels at Rule 335–3–14–.04(10)(b).[12] Finally, EPA is proposing to incorporate by reference Ala. Admin. Code Rule 335–3–14–.05, *Air Permits Authorizing Construction in or Near Nonattainment Areas,* state-effective February 12, 2024, with the following exceptions: EPA is not proposing to incorporate by reference Rule 335–3–14–.05(1)(h), the actual-to-potential test for projects that only involve existing emissions units;[13] the portion of Rule 335–3–14–.05(1)(k)20 stating ''excluding ethanol production facilities that produce ethanol by natural fermentation'';[14] Rule 335–3–14–.05(2)(c)3 addressing fugitive emission increases and decreases;[15] the last sentence at Rule 335–3–14–.05(3)(g), stating ''Interpollutant offsets shall be determined based upon the following ratios:''; or the NNSR interpollutant ratios at Rule 335–3–14–.05(3)(g)1–4.[16] EPA has made, and will continue to make, these materials generally available through *www.regulations.gov* and at the EPA Region 4 office (please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section of this preamble for more information).

[9] The February 12, 2024, state-effective version of Rule 335–3–14–.03(1)(h) was withdrawn by ADEM from the December 20, 2023, SIP revision on March 8, 2024. If EPA takes final action to approve the December 20, 2023, SIP revision, the Agency will update the SIP table at 40 CFR 52.50(c) to reflect the retention of the May 23, 2011, state-effective version of Rule 335–3–14–.03(1)(h).

[10] *See* the SIP table at 40 CFR 52.50(c). For more information, *see* 73 FR 23957 (May 1, 2008).

[11] Portions of Rule 335–3–14–.04(2)(bbb) are currently excluded from the SIP table at 40 CFR 52.50(c), specifically, the second sentence of paragraph 335–3–14–.04(2)(bbb)2 and the second and fourth sentences of paragraph 335–3–14–.04(2)(bbb)3. However, in a July 3, 2019, rulemaking, EPA excluded from approval the second and third sentences of paragraph 335–3–14–.04(2)(bbb)2, as well as the second and fourth sentences of paragraph 335–3–14–.04(2)(bbb)3. For more information, *see* 84 FR 31741. If EPA takes final action to approve the December 20, 2023, SIP revision, the Agency will correct the SIP table at 40 CFR 52.50(c) to reflect this.

[12] *See* the SIP table at 40 CFR 52.50(c). For more information, *see* 77 FR 59100 (September 26, 2012).

[13] *See* the SIP table at 40 CFR 52.50(c). For more information, *see* 81 FR 1124 (January 11, 2016).

[14] *Id.*

[15] *Id.*

[16] *Id.*

V. Statutory and Executive Order Reviews

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

- Is not a significant regulatory action subject to review by the Office of Management and Budget under Executive Order 12866 (58 FR 51735, October 4, 1993);
- Is not subject to Executive Order 14192 (90 FR 9065, February 6, 2025) because SIP actions are exempt from review under Executive Order 12866;
- Does not impose an information collection burden under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*);
- Is certified as not having a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*);
- Does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4);
- Does not have federalism implications as specified in Executive Order 13132 (64 FR 43255, August 10, 1999);
- Is not subject to Executive Order 13045 (62 FR 19885, April 23, 1997) because it approves a state program;
- Is not a significant regulatory action subject to Executive Order 13211 (66 FR 28355, May 22, 2001); and
- Is not subject to requirements of section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) because application of those requirements would be inconsistent with the CAA.

In addition, the SIP is not approved to apply on any Indian reservation land or in any other area where EPA or an Indian Tribe has demonstrated that a Tribe has jurisdiction. In those areas of Indian country, the rule does not have Tribal implications and will not impose substantial direct costs on Tribal governments or preempt Tribal law as specified by Executive Order 13175 (65 FR 67249, November 9, 2000).

List of Subjects in 40 CFR Part 52

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

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

Dated: August 11, 2025.

Kevin McOmber,

Regional Administrator, Region 4.

[FR Doc. 2025–15987 Filed 8–20–25; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R04–OAR–2025–0045; FRL–12937–01–R4]

Air Plan Approval; GA; Removal of Emissions Statements Requirement and Updates To Permit by Rule

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The Environmental Protection Agency (EPA) is proposing to approve a State Implementation Plan (SIP) revision submitted by the State of Georgia, through the Georgia Environmental Protection Division (GA EPD), on June 27, 2024, seeking to revise a source monitoring and reporting regulation by, among other things, removing the requirement for emissions statements in counties formerly designated as nonattainment for ozone and to revise the permit by rule regulation. EPA is proposing to approve these revisions pursuant to the Clean Air Act (CAA or Act).

DATES: Comments must be received on or before September 11, 2025.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA–R04–OAR–2025–0045 at *regulations.gov.* Follow the online instructions for submitting comments. Once submitted, comments cannot be edited or removed from *Regulations.gov*. EPA may publish any comment received to its public docket. Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Multimedia submissions (audio, video, etc.) must be accompanied by a written comment. The written comment is considered the official comment and should include discussion of all points you wish to make. EPA will generally not consider comments or comment contents located outside of the primary submission (*i.e.,* on the web, cloud, or other file sharing system). For additional submission methods, the full EPA public comment policy, information about CBI or multimedia submissions, and general guidance on making effective comments, please visit *https://www.epa.gov/dockets/commenting-epa-dockets.*

FOR FURTHER INFORMATION CONTACT: Weston Freund, Air Regulatory Management Section, Air Planning and Implementation Branch, Air and Radiation Division, U.S. Environmental Protection Agency, Region 4, 61 Forsyth Street SW, Atlanta, Georgia 30303–8960. The telephone number is (404) 562–8773. Mr. Freund can also be reached via electronic mail at *freund.weston@epa.gov.*

SUPPLEMENTARY INFORMATION:

I. Background

EPA is proposing to approve changes to the Georgia SIP submitted by the State on June 27, 2024, to revise a source monitoring and reporting regulation and the permit by rule regulation.[1] Specifically, the changes address Rules 391–3–1-.02(6), *Source Monitoring,* and 391–3–1–.03(11)(b)7, *Coating and/or Gluing Operations.*[2]

Effective August 3, 2018, EPA designated seven counties in and around metropolitan Atlanta as nonattainment and classified them as a ''marginal'' nonattainment area for the 2015 8-hour ozone NAAQS (hereinafter referred to as the Atlanta 2015 8-hour Ozone Area).[3] *See* 83 FR 25776 (June 4, 2018). In 2022, EPA redesignated the Atlanta 2015 8-hour Ozone Area to attainment for the 2015 8-hour ozone standard. *See* 87 FR 62733 (October 17, 2022).

Prior to the redesignation to attainment for the 2015 ozone NAAQS, Georgia was required to submit SIP revisions to include certain ozone nonattainment provisions within its SIP, including nonattainment new source review (NNSR) and emissions statements provisions. *See generally* CAA section 172(c)(5) (addressing NNSR); CAA section 173 (same); 40 CFR 51.1314 (addressing NNSR for 2015 ozone NAAQS nonattainment areas); CAA section 182(a)(3)(b) (addressing emissions statements). In 2022, EPA approved Georgia's SIP revisions addressing NNSR and emissions statements requirements for the 2015 ozone NAAQS for the Atlanta 2015 8-hour Ozone Area. *See* 87 FR 3677 (January 25, 2022), 87 FR 13179 (March 9, 2022). No nonattainment areas now exist for any criteria pollutant in Georgia. *See* 40 CFR 81.311.

As a result of the redesignation of the Atlanta 2015 8-hour Ozone Area to attainment for the 2015 8-hour ozone standard, Georgia's SIP is not required to contain emissions statements requirements for this standard within this geographic area. Georgia's June 27, 2024, revision, as discussed in more detail below, would therefore remove the emissions statements rules from Georgia's SIP as obsolete. The revision also seeks to make minor changes to the portion of the permit by rule regulation for coating and/or gluing operations that applies in certain counties formerly designated as nonattainment for ozone. Georgia's submittal includes a demonstration, pursuant to CAA section 110(l), that the revision would not interfere with any applicable requirement concerning attainment of the NAAQS and reasonable further progress (RFP) or any other applicable requirement of the CAA. EPA's analysis of Georgia's June 27, 2024, SIP revision and the Agency's rationale for proposing to approve these changes are provided below.

II. EPA's Analysis of the State's Submittal

A. Subparagraph 391–3–1–.02(6)(a), Specific Monitoring and Reporting Requirements for Particular Sources

CAA section 182(a)(3)(B) requires states with an ozone nonattainment area to submit a SIP revision requiring stationary sources in the nonattainment area emitting volatile organic compounds (VOCs) or oxides of nitrogen (NOX) to provide certified annual emissions statements to the state showing actual VOC and NOX emissions from the source, with an exemption for stationary sources that emit less than 25 tons per year of VOCs or NOX provided that the SIP revision meets certain requirements. On March 9, 2022, EPA approved Georgia's SIP revision addressing the emissions statements requirement for the 2015 ozone NAAQS for the Atlanta Area. *See* 87 FR 13179. That requirement exists in the SIP at Rule 391–3–1–.02(6)(a)4., ''Emission Statements.'' The June 27, 2024, revision requests the removal of Rule 391–3–1–.02(6)(a)4. from the Georgia SIP. Additionally, the submission replaces ''section'' and ''paragraph'' with ''paragraph'' and ''subparagraph,'' respectively, throughout Rule 391–3–1–.02(6)(a).

Section 110(l) of the CAA prevents EPA from approving a SIP revision that would interfere with any applicable requirement concerning attainment and RFP, or any other applicable CAA requirement. EPA proposes to approve the revisions to Rule 391–3–1–.02(6)(a) described above because they will not interfere with any CAA requirement. Georgia has no areas designated by EPA as in nonattainment of the NAAQS, and therefore, the CAA emissions statements requirements for nonattainment areas are not applicable at this time. Furthermore, the revisions will not interfere with attainment of the NAAQS or RFP.

B. Subparagraph 391–3–1–.03(11)(b)7., Coating and/or Gluing Operations

Rule 391–3–1–.03(11), *Permit by Rule,* sets forth conditions for permits by rule. Subparagraph (b)7., *Coating and/or Gluing Operations,* is a permit by rule regulation with specific conditions for coating and/or gluing operations, including more stringent conditions for sources located in the 13 counties previously designated as nonattainment

[1] On July 9, 2025, EPA received a letter from GA EPD clarifying that the changes to 391–3–1–.03(11)(b)7.(i). do not include the language, ''or enforceable as a practical matter limiting the source to below Part 70 or Part 63 major source thresholds.'' This phrase was originally submitted to EPA on December 15, 2011, and was subsequently included in a partial withdrawal letter dated January 8, 2019.

[2] The June 27, 2024, submittal also contains changes to Rules 391–3–1-.02(1), *General Requirement;* 391–3–1–.02(2)(nnn), *NOX Emissions from Large Stationary Gas Turbines;* 391–3–1–.03(1), *Construction (SIP) Permit;* 391–3–1–.03(6)(j), *Construction Permit Exemption for Pollution Control Projects;* 391–3–1–.03(8), *Permit Requirements;* and 391–3–1–.03(13), *Emission Reduction Credits.* EPA will address these changes in a separate rulemaking.

[3] The Atlanta 2015 8-hour Ozone Area consists of the following counties: Bartow, Clayton, Cobb, DeKalb, Fulton, Gwinnett, and Henry. The 2015 8-hour ozone NAAQS is set at 0.070 ppm based on an annual fourth-highest daily maximum 8-hour average concentration averaged over three years.

for the 1979 1-hour ozone NAAQS.[4] Specifically, as approved into the SIP, coating and/or gluing operations in Cherokee, Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette, Forsyth, Fulton, Gwinnett, Henry, Paulding, and Rockdale Counties must utilize coatings with less than 5 tons of any individual hazardous air pollution (HAP), less than 12.5 tons of collective HAPs, and less than 25 tons of VOCs in any rolling 12-month period. Sources seeking coverage under the permit by rule located outside these specific counties can utilize coatings containing up to 50 tons of VOCs in a rolling 12-month period.

The June 27, 2024, revision modifies Rule 391–3–1-.03(11)(b)7.(ii)(IV) by removing the first use of the phrase ''ozone non-attainment counties'' which precedes, and is shorthand for, a list of the aforementioned 13 counties. The revision retains the list of 13 counties at that location and then removes the remaining use of the phrase ''ozone non-attainment counties,'' replacing it with the list of 13 counties. Because the changes merely remove the shorthand phrase ''ozone non-attainment counties,'' instead listing all 13 counties covered by the Rule 391–3–1-.03(11)(b)7.(ii)(IV), they does not relax or modify any existing requirements in this rule for sources located in these 13 counties.

Additionally, the submission replaces ''section'' and ''paragraph'' with ''paragraph'' and ''subparagraph'' respectively, throughout the rule for consistency. EPA is proposing to approve the aforementioned changes to Rule 391–3–1-.03(11)(b)7. in the Georgia SIP because they would not interfere with any applicable requirement concerning attainment and RFP, or any other applicable requirement of the Act.

III. Incorporation by Reference

In this document, EPA is proposing to include in a final EPA rule regulatory text that includes incorporation by reference. In accordance with requirements of 1 CFR 51.5, and as discussed in Sections I and II of this preamble, EPA is proposing to incorporate by reference the following rules into Georgia's SIP with a state-effective date of June 19, 2023: Rule 391–3–1–.02(6)(a), *Specific Monitoring and Reporting Requirements for Particular Sources* and Rule 391–3–1-.03(11)(b)7., *Coating and/or Gluing Operations*.[5] EPA has made, and will continue to make, these materials generally available through *www.regulations.gov* and at the EPA Region 4 office (please contact the person identified in the ''For Further Information Contact'' section of this preamble for more information).

IV. Proposed Action

For the reasons discussed above, EPA is proposing to approve the June 27, 2024, Georgia SIP revision consisting of the changes to Rule 391–3–1–.02(6), *Source Monitoring,* and Rule 391–3–1–.03(11)(b)7., *Permit by Rule,* both of which are state effective June 19, 2023.

V. Statutory and Executive Order Reviews

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

- Is not a significant regulatory action subject to review by the Office of Management and Budget under Executive Order 12866 (58 FR 51735, October 4, 1993);
- Is not subject to Executive Order 14192 (90 FR 9065, February 6, 2025) because SIP actions are exempt from review under Executive Order 12866;
- Does not impose an information collection burden under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*);
- Is certified as not having a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*);
- Does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4);
- Does not have federalism implications as specified in Executive Order 13132 (64 FR 43255, August 10, 1999);
- Is not subject to Executive Order 13045 (62 FR 19885, April 23, 1997) because it approves a state program;
- Is not a significant regulatory action subject to Executive Order 13211 (66 FR 28355, May 22, 2001); and
- Is not subject to requirements of section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) because application of those requirements would be inconsistent with the CAA.

In addition, the SIP is not approved to apply on any Indian reservation land or in any other area where EPA or an Indian Tribe has demonstrated that a Tribe has jurisdiction. In those areas of Indian country, the rule does not have Tribal implications and will not impose substantial direct costs on Tribal governments or preempt Tribal law as specified by Executive Order 13175 (65 FR 67249, November 9, 2000).

List of Subjects in 40 CFR Part 52

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

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

Dated: August 11, 2025.

Kevin McOmber,

Regional Administrator, Region 4.

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[4] Some of these counties were designated as nonattainment for the 1997, 2008, and 2015 8-hour ozone NAAQS. These counties are currently designated as attainment for all ozone NAAQS.

[5] Except that EPA is not proposing to incorporate by reference into the SIP the phrase ''or enforceable as a practical matter limiting the source to below Part 70 or Part 63 major source thresholds'' within Rule 391–3–1–.03(11)(b)7., *Coating and/or Gluing Operations.*

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Parts 52 and 81

[EPA–R07–OAR–2025–0818; FRL–12901–01–R7]

Air Plan Approval; IA, Muscatine; 2010 1-Hour SO_2 Maintenance Plan and Redesignation

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The Environmental Protection Agency (EPA) is proposing to redesignate the nonattainment area in Muscatine County, Iowa to attainment for the 2010 1-hour sulfur dioxide (SO_2) National Ambient Air Quality Standard (NAAQS). The EPA is also proposing to approve Iowa's maintenance plan for the 2010 1-hour SO_2 NAAQS for the Muscatine nonattainment area and approve modifications to source-specific permits in the Iowa State Implementation Plan (SIP). The EPA's proposed approval of this rule revision is being done in accordance with the requirements of the Clean Air Act (CAA).

DATES: Comments must be received on or before September 22, 2025.

ADDRESSES: You may send comments, identified by Docket ID No. EPA–R07–OAR–2025–0818 to *https://www.regulations.gov*. Follow the online instructions for submitting comments.

Instructions: All submissions received must include the Docket ID No. for this rulemaking. Comments received will be posted without change to *https://www.regulations.gov,* including any personal information provided. For detailed instructions on sending comments and additional information on the rulemaking process, see the ''Written Comments'' heading of the **SUPPLEMENTARY INFORMATION** section of this document.

FOR FURTHER INFORMATION CONTACT: Bethany Olson, Environmental Protection Agency, Region 7 Office, Air Quality Planning Branch, 11201 Renner Boulevard, Lenexa, Kansas 66219; telephone number: (913) 551–7905; email address: *olson.bethany@epa.gov*.

SUPPLEMENTARY INFORMATION: Throughout this document ''we,'' ''us,'' and ''our'' refer to the EPA.

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I. Written Comments

Submit your comments, identified by Docket ID No. EPA–R07–OAR–2025–0818, at *https://www.regulations.gov*. Once submitted, comments cannot be edited or removed from *Regulations.gov*. The EPA may publish any comment received to its public docket. Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Multimedia submissions (audio, video, etc.) must be accompanied by a written comment. The written comment is considered the official comment and should include discussion of all points you wish to make. The EPA will generally not consider comments or comment contents located outside of the primary submission (*i.e.,* on the web, cloud, or other file sharing system). For additional submission methods, the full EPA public comment policy, information about CBI or multimedia submissions, and general guidance on making effective comments, please visit *https://www.epa.gov/dockets/commenting-epa-dockets*.

II. What is being addressed in this document?

The EPA is proposing to approve a SIP revision and redesignation request submitted on November 17, 2021, by the Iowa Department of Natural Resources (IDNR). The EPA is proposing to take the following three separate but related actions: (1) to add new or revised permits for Muscatine area sources into the Iowa SIP and remove certain air construction permits from the SIP; (2) to approve Iowa's maintenance plan for the 2010 1-hour SO_2 NAAQS in the Muscatine area and incorporate it into the SIP; and (3) to redesignate the Muscatine area to attainment for the 2010 1-hour SO_2 NAAQS.

The EPA proposes to find that the State's submittal meets the requirements for redesignation under the CAA and the revisions do not interfere with any applicable requirement concerning attainment and reasonable further progress. The full State submission is included in the docket for this action.

III. Have the requirements for approval of a SIP revision been met?

The State submission has met the public notice requirements for SIP submissions in accordance with 40 CFR 51.102. The submission also satisfied the completeness criteria of 40 CFR part 51, appendix V. The State provided public notice on this SIP submission from August 20, 2021, to September 20, 2021, and held a public hearing on September 20, 2021. IDNR received and responded to written comments from two sources, and included the comments and responses in its submission. In addition, as explained above and in more detail in the technical support document (TSD) which is part of this document, the revision meets the substantive SIP requirements of the CAA, including section 110 and implementing regulations.

IV. What is the background for the EPA's proposed actions?

A. Nonattainment Designation

On June 2, 2010 (75 FR 35520), the EPA signed the revised the primary SO_2 NAAQS, establishing a new 1-hour standard of 75 parts per billion (ppb). Under the EPA's regulations at 40 CFR part 50, the 2010 1-hour SO_2 NAAQS is met at a monitoring site when the 3-year average of the annual 99th percentile of daily maximum 1-hour average concentrations is less than or equal to 75 ppb (based on the rounding convention in 40 CFR part 50, appendix T).[1] Ambient air quality monitoring data for the 3-year period must meet a data completeness requirement. A year meets data completeness requirements when all four quarters are complete, and a quarter is complete when at least 75 percent of the sampling days for each quarter have complete data. A sampling day has complete data if 75 percent of the hourly concentration values, including State-flagged data affected by exceptional events which have been approved for exclusion by the Administrator, are reported.[2]

Following promulgation of a new or revised NAAQS, the EPA is required by CAA section 107(d) to designate areas throughout the nation as attaining or not attaining the NAAQS, or as unclassifiable. On August 5, 2013, the EPA designated a portion of Muscatine County, Iowa, as nonattainment for the 2010 primary 1-hour SO_2 NAAQS (78 FR 47191), effective October 4, 2013. The designation was based on air quality monitoring data from 2009–2011 showing violations of the NAAQS. Pursuant to CAA sections 172(a)(2) and 192(a), this action established an attainment date five years after the effective date of the final action designating the area as nonattainment for the 2010 SO_2 NAAQS (*i.e.,* by October 4, 2018).

B. Relevant Historical SIP Actions

The EPA's 2013 SO_2 nonattainment designation triggered an obligation for Iowa to submit a SIP for the Muscatine SO_2 nonattainment area (NAA) addressing the requirements of CAA sections 110, 172(c) and 191–192 within 18 months following the October 4, 2013, effective date of designation (*i.e.,* by April 4, 2015). The EPA did not receive an attainment SIP revision for the Muscatine NAA by the April 6, 2015 deadline and subsequently on March 18, 2016, the EPA published a finding of failure to submit indicating that Iowa did not submit the required SO_2 attainment plan (81 FR 14736).

Iowa submitted the required attainment plan submittal on May 26, 2016. The EPA proposed approval of Iowa's attainment plan on August 24, 2017 (82 FR 40086). The EPA published a supplemental notice of proposed rulemaking (SNPRM) on January 9, 2018, and included additional

[1] *See* 40 CFR 50.17.

[2] 40 CFR part 50, appendix T, section 3(b).

information in the docket in response to public comments suggesting that insufficient information was provided in the docket to allow the reviewer to fully evaluate the attainment plan and the EPA's proposed approval (83 FR 997). The EPA published a second SNPRM on June 22, 2020, to provide additional detail regarding the technical support and policy rationale for approving the attainment demonstration and control strategy, as well as the underlying state permits as the enforceable mechanism of the control strategy (85 FR 37405). The EPA issued a final approval of Iowa's attainment plan on November 17, 2020 (85 FR 73218).

Iowa's approved 2016 attainment plan provided a modeled attainment demonstration and satisfied the required nonattainment planning requirements mentioned above for the Muscatine NAA. In accordance with CAA title I, part D, subpart 1, the revision included a 2011 base-year and projection-year emissions inventories, a control strategy and air quality modeling demonstration, a reasonable available control measures/reasonably available control technology (RACM/RACT) analysis, a reasonable further progress (RFP) analysis, and contingency measures. The plan also included nonattainment new source review (NNSR) regulations previously approved by the EPA.[3]

As discussed in sections V. and VI., below, the attainment plan included permit conditions to reduce SO_2 emissions at three facilities in the NAA: Grain Processing Corporation (GPC), Muscatine Power and Water (MPW), and Monsanto Company–Muscatine (Monsanto), now Bayer CropScience LP.[4] The conditions are contained in air construction permits issued by IDNR and were approved into the SIP as part of the attainment plan approval.[5] The air construction permits include specified RACT SO_2 emission limits, compliance monitoring, and recordkeeping and reporting requirements at GPC, MPW, and Monsanto. The RACT limits establish the maximum permitted allowable emission rate for each emission point, and Iowa based its modeled attainment demonstration on these conditions.

As a part of the EPA's approval of IDNR's attainment plan, air construction permits for the three NAA sources were incorporated into the Iowa SIP, including 52 GPC permits, four MPW permits, and two Monsanto permits. The control strategy for each source is described below.

GPC, a corn wet milling facility, was the largest source of SO_2 within the NAA. At the time of the nonattainment designation, GPC had six coal-fired boilers that generated a majority of its SO_2 emissions, along with a sizeable list of diverse sources identified in the 2016 attainment plan. GPC converted its coal-fired boilers to only natural gas combustion in 2015 to comply with a separate consent order with the State of Iowa. IDNR issued a final air construction permit with a SO_2 limit that restricts these boilers to firing on natural gas only. IDNR also issued air construction permits to GPC that included process changes and the installation of six new scrubbers to further reduce SO_2 emissions.

MPW is a municipal electric generating station with three coal-fired boilers (Units 7, 8, and 9) and an auxiliary boiler that is not capable of burning coal but has the potential to emit SO_2 when firing on distillate fuel oil. IDNR issued air construction permits to MPW requiring a more stringent SO_2 emission limit for Units 7, 8, and 9, and a more stringent SO_2 emission limit for the auxiliary boiler when it is firing fuel oil.

Monsanto is a manufacturer and formulator of herbicides for agricultural use and had one coal-fired boiler (Boiler #8). Iowa issued final air construction permits to Monsanto that required a more stringent SO_2 emission limit for Boiler #8, a new SO_2 emission limit for the CAC Process Flare Burner,[6] and a new provision restricting its fuel use to natural gas only.

On November 17, 2021, Iowa submitted a revision to its SIP that includes modifications to SIP-approved permits, includes a maintenance plan for the 2010 1-hour primary SO_2 NAAQS, and requests concurrent redesignation of the Muscatine NAA to attainment for the 2010 1-hour primary SO_2 NAAQS. The submitted permit revisions replace some specific conditions that the EPA had previously approved into the SIP for the purpose of demonstrating attainment of the SO_2 standard pursuant to the nonattainment requirements of sections 172, 191, and 192 of the CAA. This request is discussed in more detail in section VI., below.

On January 26, 2022, the EPA proposed to determine that the Muscatine NAA attained the 2010 1-hour SO_2 NAAQS by the applicable attainment date of October 4, 2018 (87 FR 3958). The EPA issued a final determination of attainment by the attainment date for the 2010 1-hour SO_2 NAAQS on April 7, 2022 (87 FR 20329).

C. Redesignation to Attainment Criteria

The CAA outlines the requirements for redesignation of a nonattainment area to attainment. Specifically, CAA section 107(d)(3)(E) allows for redesignation provided that the following criteria have been met: (1) the EPA has determined that the applicable NAAQS has been attained; (2) the applicable SIP has been fully approved by the EPA under CAA section 110(k); (3) the EPA has determined that the improvement in the area's air quality is due to permanent and enforceable reductions in emissions; (4) the area has a fully approved maintenance plan, including a contingency plan, under CAA section 175A; and (5) the State has met all applicable requirements for the area under CAA section 110 and part D. The EPA has provided direction for how it would consider if these conditions have been met with respect to the 2010 1-hour SO_2 NAAQS in the April 23, 2014 memorandum ''Guidance for 1-Hour SO_2 Nonattainment Area SIP Submissions'' (2014 SO_2 Guidance).[7]

D. Maintenance Plan Approval Criteria

CAA section 175A and additional EPA guidance, including the September 4, 1992 memorandum ''Procedures for Processing Requests to Redesignate Areas to Attainment'' (Calcagni Memo),[8] identify the required elements for an approvable maintenance plan for areas seeking redesignation from nonattainment to attainment. Under CAA section 175A, the plan must demonstrate continued attainment of the applicable NAAQS for at least 10 years after the EPA approves a redesignation to attainment. Eight years after the redesignation, the State must submit a revised maintenance plan demonstrating that attainment will continue to be maintained for an additional 10 years following the initial 10-year period. To address the possibility of future NAAQS violations,

[3] 79 FR 27763, May 15, 2014.

[4] The Monsanto facility in Muscatine is now under the ownership of Bayer CropScience LP. This document retains use of the Monsanto name for consistency with the Iowa submittal. Bayer CropScience L.P. assumed all construction permits for Monsanto that are relevant to this action.

[5] 85 FR 73218, November 17, 2020.

[6] This emission unit is part of the process that produces chloro acetyl chloride (CAC), which is an herbicide intermediate product.

[7] Available in the docket for this action as 2014 SO_2 Guidance and at *https://www.epa.gov/sites/default/files/2016-06/documents/20140423guidance_nonattainment_sip.pdf.*

[8] Available in the docket for this action as Calcagni Memo and at *https://www.epa.gov/sites/default/files/2016-03/documents/calcagni_memo_-_procedures_for_processing_requests_to_redesignate_areas_to_attainment_090492.pdf.*

the maintenance plan must contain contingency measures, as the EPA deems necessary, to assure prompt correction of any future violations of the 2010 1-hour SO_2 NAAQS. The Calcagni Memo provides further guidance on the content of a maintenance plan, explaining that a maintenance plan should address five requirements: (1) an attainment emissions inventory that identifies the level of emissions in the area which is sufficient to attain the NAAQS; (2) a maintenance demonstration that shows future emissions of a pollutant will not exceed the level of the attainment inventory; (3) the continued operation of a monitoring network that conforms to 40 CFR part 58; (4) a means for verifying the continued attainment of the NAAQS; and (5) a contingency plan to correct any violation of the NAAQS in the area following redesignation of the area.

V. What is the EPA's analysis of the redesignation request and maintenance plan?

The EPA's evaluation of Iowa's redesignation request and maintenance plan is based on consideration of the five redesignation criteria provided under CAA section 107(d)(3)(E) and relevant guidance, including the aforementioned 2014 SO_2 Guidance and Calcagni Memo.

A. Criterion (1)—The Muscatine SO_2 Nonattainment Area Has Attained the 2010 1-Hour SO_2 NAAQS

CAA section 107(d)(3)(E)(i) requires that the EPA determine if a nonattainment area has attained the applicable NAAQS in order to redesignate the area to attainment. The 2014 SO_2 Guidance stipulates that the EPA can interdependently consider two components to support an attainment determination: air quality monitoring data and air quality modeling data.[9]

The EPA made a determination of attainment by the attainment date for the Muscatine NAA for the 2010 1-hour SO_2 NAAQS in its April 7, 2022 NFRM (87 FR 20329). In that action, the EPA relied upon SO_2 emissions data and trends, relevant air monitoring data and trends, SO_2 monitoring data incorporated with local meteorological data, as well as available modeling information in order to make the determination of attainment under CAA section 179(c).

The EPA also reviewed quality assured monitoring data recorded in the EPA's Air Quality System (AQS) in support of this action. Monitoring data are evaluated in accordance with 40 CFR 50.17 using data analysis procedures specified in 40 CFR part 50, appendix T. If the 3-year design value in the area violates the NAAQS prior to the EPA acting in response to the State's request, the EPA will not take final action to approve the redesignation request.[10] During the 2013–2024 data period, Iowa operated three SO_2 monitoring stations in the Muscatine SO_2 NAA: Greenwood Cemetery (AQS ID 19–139–0016); High School East Campus (AQS ID 19–139–0019); and Musser Park (AQS ID 19–139–0020). All three monitoring sites are located within the city limits of Muscatine in the nonattainment area. The 2022–2024 3-year design value for the Muscatine NAA is 17 ppb and continues to meet the 2010 1-hour SO_2 NAAQS of 75 ppb, as shown in table 1.

TABLE 1—MUSCATINE NONATTAINMENT AREA SO_2 MONITORED DESIGN VALUES

[ppb]

Site	2011–2013	2012–2014	2013–2015	2014–2016	2015–2017	2016–2018	2017–2019	2018–2020	2019–2021	2020–2022	2021–2023	2022–2024
Greenwood Cemetary	.....	101	97	77	45	20	17	15	14	13	.....	.....
High School East Campus	.....	.....	128	84	42	22	21	18	18	14	13	13
Musser Park	217	194	158	113	65	34	25	20	21	25	21	17

As shown in table 1, the design values in the Muscatine NAA have significantly decreased since 2013. The 3-year design value for the Muscatine NAA decreased by 90% from 2013 to present. The 2011–2013 design value for the area (composed of the 3-year average of the annual 99th percentile of 1-hour daily maximum SO_2 concentrations) was 217 ppb, while the most recent design value was 17 ppb for 2022–2024.

Iowa removed the Greenwood Cemetary Special Purpose Monitor (SPM) in 2023. The Greenwood Cemetary monitor only had two complete quarters in 2023 and, therefore, does not have a valid design value after 2022. Changes to the SPM network do not require concurrence from the EPA.[11] Iowa continues to operate the High School East Campus SPM and the Musser Park State and Local Air Monitoring Stations (SLAMS) monitors. As discussed in more detail later in this section, Iowa has committed to continue monitoring in this area in accordance with 40 CFR part 58.

According to the 1992 Calcagni Memo, for pollutants such as SO_2 a small number of monitors is not typically representative of area-wide air quality or areas of highest concentration, and dispersion modeling is generally necessary to evaluate comprehensively sources' impacts.[12] Similarly, the 2014 SO_2 Guidance states that if there are air quality monitors located in the area, but analyses show that none of the monitors are located in the area of maximum concentration, then air quality dispersion modeling should be conducted to estimate SO_2 concentrations in the area.[13] The EPA does not have conclusive evidence to support that the Muscatine area monitors are sited in the area of maximum ambient SO_2 concentrations. In the 2021 SIP submission, Iowa states it is relying on the modeled attainment demonstration included with the attainment plan to support the determination of attainment. If the air agency has previously submitted a modeled attainment demonstration using allowable emissions, no further modeling is typically needed as long as the source characteristics are still reasonably represented and the submission includes a demonstration that the control strategy in the SIP has been fully implemented.[14] Because Iowa is requesting modifications to source permits relied upon for the modeled attainment demonstration as discussed in section VI, the State provided updated dispersion modeling in its 2021 SIP submission. As described in the maintenance demonstration section below, the 2021 SIP submission included updated modeling for the maximum permitted allowable emissions in the Muscatine area over a

[9] See 2014 SO_2 Guidance, at 62.

[10] See 2014 SO_2 Guidance, at 56.

[11] *See* 40 CFR 58.20(f).

[12] See Calcagni Memo, at 3.

[13] See 2014 SO_2 Guidance, at 62–63.

[14] *Id.*

5-year meteorological period. The EPA reviewed the updated demonstration and finds it shows continued attainment of the 1-hour SO_2 NAAQS. Section 3.3 of Iowa's 2021 SIP submission includes a compliance analysis demonstrating that the 2016 attainment plan has been fully implemented and that GPC, MWP, and Monsanto are in compliance with the limits and conditions in the SIP.

Therefore, the EPA's 2022 determination that the area had attained the standard by the attainment date, along with the most recent air quality monitoring data and the 2021 updated air quality modeling, are consistent with this proposed action to redesignate the area. The EPA proposes to find that Iowa has demonstrated that the requirements of CAA section 107(d)(3)(E)(i) have been met. Additional details on the EPA's review of the submitted air quality modeling and SO_2 monitoring trends are contained in the EPA's TSD in the docket for this action.

B. Criterion (2)—Iowa Has a Fully Approved SIP Under Section 110(k)

CAA section 107(d)(3)(E)(ii) requires that the EPA fully approve the applicable implementation plan for the area under CAA section 110(k) in order to redesignate that area to attainment. The EPA has fully approved the applicable Iowa SIP for the Muscatine NAA under section 110(k) of the CAA for all requirements applicable for purposes of redesignation. An area cannot be redesignated to attainment if a required element of the SIP is the subject of a disapproval; a finding of failure to submit, or failure to implement the SIP; or a partial, conditional, or limited approval.[15] As described above, the 2016 attainment plan received final EPA approval on November 17, 2020.[16] The approved elements from the 2016 attainment plan include 2011 base-year and projection-year emissions inventories, a control strategy and air quality modeling demonstration, a reasonable available control measures/reasonably available control technology (RACM/RACT) analysis, a reasonable further progress (RFP) analysis, and contingency measures. The plan also included nonattainment new source review (NNSR) regulations previously approved by the EPA.[17] The EPA proposes to find that Iowa has demonstrated that the requirements of CAA section 107(d)(3)(E)(ii) have been met.

C. Criterion (3)—The Air Quality Improvement in the Muscatine SO_2 Nonattainment Area Is Due to Permanent and Enforceable Reductions in Emissions

For redesignating a nonattainment area to attainment, CAA section 107(d)(3)(E)(iii) requires the EPA to determine that the air quality improvement in the area is due to permanent and enforceable reductions in emissions resulting from implementation of the SIP, applicable federal air pollution control regulations, and other permanent and enforceable reductions.

The implementation of multiple permanent and federally enforceable control measures at stationary point sources of SO_2 identified in the EPA-approved 2016 attainment plan resulted in a substantial decrease in SO_2 emissions, and consequently lower ambient SO_2 concentrations in the Muscatine NAA. The attainment SIP control strategy identified three significant sources of SO_2 emissions within the nonattainment area: GPC, MPW, and Monsanto. The control measures and RACT SO_2 emission limits on these sources were implemented through air construction permits issued by IDNR and approved into the SIP as part of the attainment plan approval. Iowa's request includes revisions to specific SIP-approved air permits relied upon for the attainment demonstration, and the EPA is proposing to add new or revised permits for Muscatine area sources into the Iowa SIP and remove certain air construction permits from the SIP as a part of this action. The permit revisions are discussed in more detail in section VI.

The air construction permits include specified control measures at each source. GPC converted its coal-fired boilers to only natural gas combustion in 2015 to comply with a separate consent order with the State of Iowa. The permit includes an SO_2 limit that restricts these boilers to firing on natural gas only. Additionally, GPC implemented process changes to reduce SO_2 emissions from steeping tanks and downstream processes, and installed six new scrubbers. For MPW, the control strategy relied on a more stringent SO_2 emission limit that works in conjunction with a compliance formula across its three coal-fired boilers (Units 7, 8, and 9), and a more stringent SO_2 emission limit on the auxiliary boiler when it is firing fuel oil. Monsanto converted Boiler #8 from combusting primarily coal to natural gas only and the modified construction permit contains a lower SO_2 RACT limit. Other control measures at Monsanto include an SO_2 emission limit for the CAC Process Flare Burner and a provision restricting its fuel use to natural gas only. The permitted emission limits contained in the air construction permits issued by IDNR are federally enforceable and permanent because the permits are either approved into Iowa's SIP or will be approved into the SIP if finalized as proposed in this action. Permits approved into the State SIP cannot be altered without a formal SIP revision.

Collectively, the implemented controls and lower permitted SO_2 emissions rates at GPC, MPW, and Monsanto resulted in a 98% reduction of actual SO_2 annual emissions from 15,399 tons in 2013 to 236 tons in 2023.[18] As this reduction comes from EPA-approved SIP controls and permitted emission limits, the EPA finds the air quality improvement in the Muscatine NAA to be due to permanent and enforceable reductions in emissions. Additional details on area emissions data for the Muscatine NAA are contained in the EPA's TSD for this action. The EPA proposes to find that Iowa has demonstrated that the requirements of CAA section 107(d)(3)(E)(iii) have been met.

D. Criterion (4)—The Muscatine SO_2 Nonattainment Area Has a Fully Approved Maintenance Plan Pursuant to Section 175A of the CAA

To redesignate a NAA to attainment, CAA section 107(d)(3)(E)(iv) requires the EPA to determine that the area has a fully approved maintenance plan pursuant to CAA section 175A. The Calcagni Memo provides further guidance on the content of a maintenance plan, explaining that a maintenance plan should address five requirements: the attainment emissions inventory, maintenance demonstration, monitoring, verification of continued attainment, and a contingency plan.[19]

In conjunction with its request to redesignate the Muscatine NAA to attainment for the 2010 1-hour primary SO_2 NAAQS, the State submitted a SIP revision to provide for the maintenance of the 2010 1-hour primary SO_2 NAAQS for at least 10 years after the effective date of redesignation to attainment. The EPA's evaluation of Iowa's maintenance plan is based on consideration of the elements required under CAA section 175A and relevant guidance, including the aforementioned 2014 SO_2 Guidance and Calcagni Memo.

[15] *See* 2014 SO_2 Guidance, at 64.

[16] 85 FR 73218, November 17, 2020.

[17] 79 FR 27763, May 15, 2014.

[18] See the EPA Region 7 TSD at pp. 7, available in the docket for this action.

[19] See Calcagni Memo, at pp. 8–12.

1. Attainment Emissions Inventory

In a maintenance plan, states should develop an attainment inventory to identify the level of emissions in the affected area which is sufficient to attain and maintain the SO_2 NAAQS.[20] This inventory can be used as the basis for future, projected emission inventories that are used to show the area will remain in attainment. Iowa selected 2017 as the attainment year for developing the SO_2 emissions inventory, which is within the attaining design value period (*i.e.,* 2015–2017). Iowa submitted an attainment inventory based on maximum permitted allowable SO_2 emissions for the four sources modeled in the maintenance plan: GPC, MPW, Monsanto, and MidAmerican Energy's Louisa Generating Station (LGS). Although LGS is located outside of the NAA, Iowa included it in its model-based attainment and maintenance demonstrations to ensure that the control strategy would be effective when including the SO_2 emissions from this nearby source. The attainment emissions inventory for modeled sources is provided in table 2.

TABLE 2—ATTAINMENT EMISSIONS INVENTORY—MAXIMUM PERMITTED ALLOWABLE EMISSIONS FOR MODELED SOURCES

Location	Facility name	Facility ID	Maximum permitted allowable SO_2 emissions (tons per year)
Inside the NAA	GPC	70–01–004	175
	MPW	70–01–011	5,051
	Monsanto	70–01–008	329
Total			5,555
Outside the NAA	LGS	58–07–001	15,188

Iowa also provided actual SO_2 emissions for other point, nonpoint, onroad, nonroad, and event (prescribed fire) sources from the 2017 National Emission Inventory (NEI). The NEI is a comprehensive, triennial estimate of emissions. Iowa directly used other point source and nonpoint emissions reported in the 2017 NEI, except for a correction identified in section 7.1 of the submitted redesignation request and maintenance plan. Iowa's plan states that the 2017 NEI contains a known error in Iowa's nonpoint inventory that incorrectly yields emissions from coal-fired industrial combustion sources, even though all emissions from industrial coal combustion are accounted for in the point source category. The erroneous nonpoint emissions were excluded from Iowa's attainment emissions inventory. The emission estimates provided for nonpoint, onroad, nonroad, or event sources represent county-wide totals for all of Muscatine County, IA rather than the partial Muscatine NAA. The attainment emissions inventory for sources not explicitly modeled is provided in table 4 below.

The EPA proposes to find the attainment emissions inventory provided in Iowa's maintenance plan to be acceptable. For additional information regarding the development of the attainment emissions inventory, please see section 7.1 of the 2021 State submittal in the docket for this action.

2. Maintenance Demonstration

The Calcagni Memo describes two ways for a State to demonstrate maintenance of the NAAQS for a period of at least 10 years following the redesignation of the area: (1) the State can show that future emissions of a pollutant will not exceed the level of the attainment inventory, or (2) the State can model to show that the future mix of sources and emission rates will not cause a violation of the standard. The 2014 SO_2 Guidance says that where a state has submitted an attainment plan that relies on air quality dispersion modeling using maximum allowable emissions, the plan can generally be expected to demonstrate that the standard will be maintained for the requisite 10 years and beyond without regard to any changes in operation rate of the pertinent sources as long as those changes do not result in increases in maximum allowable emissions.[21] Iowa's demonstration meets both of these criteria from the Calcagni Memo by providing modeling of updated maximum allowable emissions and showing that emissions will not increase in the future therefore demonstrating continued maintenance.

Iowa provided updated dispersion modeling in its 2021 SIP submission to demonstrate that the Muscatine NAA will continue to attain and maintain the 2010 SO_2 NAAQS with the submitted permit updates. The updated demonstration is based on the modeling analysis used in the Muscatine attainment plan. Iowa modeled SO_2 emissions from the three sources within the nonattainment area: GPC, MPW, and Monsanto. Facilities outside the nonattainment area that were also explicitly modeled include MidAmerican Energy's Louisa Generating Station (LGS). While LGS is not located within the nonattainment area, it is currently the largest emitter of SO_2 in the Muscatine area and Iowa included it in both the attainment demonstration and the updated demonstration to ensure that the control strategy would be effective in the nonattainment area with this nearby source. The updated demonstration includes the following updates: permit updates (described above), newer version of the American Meteorological Society (AMS)/EPA Regulatory Model (AERMOD) modeling system, more recent 5-year meteorological dataset, updated background concentration of 5 $\mu g/m^3$, updated horizontal emissions point, receptors included along the levee near GPC to reflect changes to public access, and updates to LGS's main boiler stack temperature and flowrate. AERMOD is the preferred model for this application, and Iowa's updated dispersion modeling used version 19191 which was the most current version of AERMOD available at the time of the analysis.

The modeling demonstration is based on current maximum permitted allowable SO_2 emissions at the four facilities. Iowa's submission states the four facilities account for all the nearby SO_2 sources not adequately characterized by the background concentration. Iowa modeled seven scenarios to ensure that all scenarios demonstrated continued attainment of the standard. The scenarios vary depending upon which combination of

[20] See 2014 SO_2 Guidance, at 66.

[21] See 2014 SO_2 Guidance, at 67.

MPW's three coal-fired boilers are running.

The EPA reviewed the modeling analysis submitted by Iowa and finds the revised control measures for GPC, MPW, and Monsanto continue to provide for attainment of the 2010 SO_2 NAAQS. The EPA agrees with the State's determination that its control strategy analysis results in modeled concentrations throughout the nonattainment area that are at or below 75 ppb or 196.4 μg/m^3, as shown in table 3. The EPA's full review of the submitted modeling demonstration is included in the TSD for this action. Iowa provided modeling files to the EPA with its submission that are too large to post in the docket. The state modeling files are available upon request from the contact listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.

TABLE 3—CUMULATIVE MODELED SO_2 AMBIENT AIR IMPACTS CONCENTRATIONS IN THE MUSCATINE AREA

[μg/m^3]

MPW scenario	Cumulative model result (μg/m^3)
All MPW Units	163.09
Unit 9 Off	168.37
Unit 8 Off	167.26
Unit 7 Off	162.97
Unit 7 Only	166.92
Unit 8 Only	162.72
Unit 9 Only	177.53

Any increase in maximum allowable SO_2 emissions for GPC, MPW, and Monsanto would require a SIP revision to modify the air construction permits incorporated into the SIP. Iowa stated that it expects actual emissions from GPC, MPW, Monsanto, and LGS to remain well below the permitted maximum allowable emission rates modeled in the maintenance plan.[22] The EPA's review of SO_2 emissions trends contained in the TSD for this action support the conclusion that SO_2 emissions in the Muscatine NAA are well below the permitted maximum allowable rates used by Iowa in the submitted modeling demonstration.

Iowa also provided projected emissions inventories based on the attainment inventory to further demonstrate that the area will continue to remain in attainment during the maintenance period. Emissions forecasts for the point-other, nonpoint, onroad, nonroad, and event (prescribed fire) sectors were estimated by multiplying the 2017 NEI data by population growth factors. Iowa developed growth factors for 2033 and two additional future years, 2035 and 2040, as shown in table 7–4 of the State submittal. The estimated growth factors are 1.0282 for 2033, 1.0297 for 2035, and 1.0309 for 2040. Iowa's emissions forecasts for the point-other, nonpoint, onroad, nonroad, and event (prescribed fire) sectors demonstrate nominal changes to annual SO_2 emissions in the Muscatine NAA. Projected emissions forecasts for these years, as well as the attainment year inventory, are available in table 4.

TABLE 4—EMISSIONS INVENTORIES FOR THE MUSCATINE NAA

[Tons]

Location	Sector	2017 NEI (attainment inventory)	2033 Forecast	2035 Forecast	2040 Forecast
Inside the NAA	Point-Other	0.33	0.34	0.34	0.34
Muscatine County	Non-Point	6.96	7.16	7.17	7.18
	On-Road	3.17	3.25	3.26	3.26
	Non-Road	0.51	0.53	0.53	0.53
	Event (Prescribed Fires)	1.38	1.42	1.42	1.42
Total		12.36	12.71	12.72	12.74
Forecasted Growth from 2017			0.35	0.36	0.38

Iowa's emissions forecasts for the point-other, nonpoint, onroad, nonroad, and event (prescribed fire) sectors demonstrate nominal changes to annual SO_2 emissions in the Muscatine NAA. For the year 2040, Iowa estimated that total SO_2 emissions from those sectors would only grow by approximately 0.38 tons. This small increase in annual emissions is not expected to impact ambient SO_2 concentrations in the area, as further evidenced by relatively large decreases in emissions from point sources in the area described in the EPA's TSD for this action. The EPA proposes to find the maintenance demonstration provided in Iowa's maintenance plan to be acceptable.

3. Monitoring Network

The 2014 SO_2 Guidance indicates that once an area has been redesignated to attainment, the state should continue to operate an appropriate air quality monitoring network as provided under 40 CFR part 58 to verify the attainment status of the area. IDNR has committed to continued operation of its SO_2 monitoring network in the Muscatine NAA to verify the attainment status and work with the EPA through the air monitoring network review process, in accordance with 40 CFR 58.10. Iowa currently operates one SPM monitor and one SLAMS monitor in the Muscatine NAA. SLAMS monitors cannot be discontinued without concurrence from the EPA. The EPA proposes to find the monitoring network information provided in Iowa's maintenance plan to be acceptable.

4. Verification of Continued Attainment

The 2014 SO_2 Guidance states that each air agency should ensure that it has the legal authority to implement and enforce all measures necessary to attain and maintain the 2010 1-hour SO_2 NAAQS. The air agency's submittal should indicate how it will track the progress of the maintenance plan for the area either through air quality monitoring or modeling.[23]

IDNR has the legal authority to enforce and implement the maintenance plan for the Muscatine 2010 SO_2

[22] See Iowa's 2021 maintenance plan, section 7.2 Maintenance Demonstration at 26.

[23] See 2014 SO_2 Guidance, at 67–68.

nonattainment area. This includes the authority to adopt, implement, and enforce any subsequent emissions control contingency measures determined to be necessary to correct future SO_2 attainment problems.[24]

As previously indicated, IDNR will continue to operate its SO_2 monitoring network to verify the attainment status of the Muscatine NAA. Monitored concentrations will serve as the primary indicator for verifying continued attainment and will also act as the triggering mechanism for contingency measures, as described in section 7.5 of the State submittal.

In addition, IDNR will use emissions data to verify continued compliance with the permitted emission rates used for the model demonstration in the maintenance plan. Iowa's submittal describes the State's process for ensuring source compliance with the emissions limits, stack testing, monitoring, and recordkeeping requirements associated with the control measures in the SIP-approved construction permits for GPC, MPW, and Monsanto. All three facilities are also permitted under the Title V operating permit program. 567 IAC 22.108(5) requires semi-annual reports and identification of all instances of deviations from permit requirements, including the cause of the deviation and any corrective or preventative measures taken.

In addition, in compliance with the EPA's Air Emissions Reporting Requirements (80 FR 8787), Iowa develops a comprehensive emissions inventory of point, area, and mobile sources every three years. This triennial inventory compiled by the State is contained in the EPA's NEI, which is made publicly available every three years. The EPA proposes to find that the information provided in Iowa's maintenance plan demonstrates the State has the legal authority to implement and enforce all measures necessary to attain and to maintain the 2010 1-hour SO_2 NAAQS.

5. Contingency Measures

Section 175A(d) of the CAA requires that a maintenance plan include such contingency measures as the EPA deems necessary to assure that the State will promptly correct a violation of the NAAQS that occurs after redesignation. The maintenance plan should identify the contingency measures to be adopted, a schedule and procedure for adoption and implementation, and a time limit for action by the State. In cases where attainment revolves around compliance of a single source or a small set of sources with emissions limits shown to provide for attainment, the EPA interprets CAA section 175A's requirement for ''contingency provisions'' to mean that the state agency has a comprehensive program to identify sources of violations of the SO_2 NAAQS and to undertake aggressive follow-up for compliance and enforcement, including expedited procedures for establishing enforceable consent agreement pending the adoption of revised SIPs.[25] A State should also identify specific indicators to be used to determine when the contingency measures need to be implemented. The maintenance plan must also include a requirement that a State will continue to implement all measures with respect to control of the pollutant that were contained in the SIP before redesignation of the area to attainment in accordance with CAA section 175A(d).

IDNR has committed to continuing implementation of all measures indicated in the 2016 attainment plan after redesignation of the Muscatine NAA. Furthermore, the State developed additional contingency provisions in the 2021 maintenance plan for added assurance that any violation of the NAAQS that occurs after redesignation of the area to attainment will promptly be corrected. The maintenance plan contains triggering indicators for contingency measures, a schedule for implementing these potential measures, and has specified multiple potential options to correct any NAAQS violation. SO_2 monitoring data will serve as the primary trigger for any responses to prevent or correct a NAAQS violation in the Area. Iowa's contingency plan establishes both warning level and action level responses with specific triggering indicators for each. A warning level response will occur if a certified annual 99th percentile daily maximum 1-hour SO_2 concentration exceeds the 2010 1-hour SO_2 NAAQS at any monitor site in the Muscatine NAA. IDNR will conduct a study within six months to evaluate whether the trend, if any, indicates increasing SO_2 concentrations in the Muscatine NAA. Any necessary control measures developed in response to a caution level trigger will be implemented as expeditiously as practicable with the intention of preventing future violations of the NAAQS from occurring.

An action level response will occur when the 1-hour design value, based on the average of three consecutive years of 99th percentile daily maximum 1-hour SO_2 concentrations, violates the 2010 1-hour SO_2 NAAQS at any monitor site in the Muscatine NAA. In response, IDNR will evaluate additional control measures needed to assure future attainment of the 2010 1-hour SO_2 NAAQS. IDNR will establish orders, issue new air construction permits, or modify existing permits within approximately nine months of completion of a culpability investigation that identifies such actions as being necessary to mitigate the NAAQS violation. IDNR will plan to complete the culpability investigation no later than three months after the action level response has been triggered. The contingency plan identifies multiple potential control measures for either the caution level response or the action level response including: fuel switches, improvements to existing control devices, production curtailments, reductions to operating loads, housekeeping and maintenance improvements, or other appropriate measures necessary to mitigate the elevated SO_2 levels.

The EPA is proposing to conclude that the maintenance plan adequately addresses the five basic components of a maintenance plan: the attainment emissions inventory; maintenance demonstration; monitoring; verification of continued attainment; and a contingency plan. Therefore, the EPA proposes to determine that the maintenance plan for the Muscatine NAA meets the requirements of CAA section 175A and is thus proposing to approve the maintenance plan into the Iowa SIP.

E. Criterion (5)—Iowa Has Met All Applicable Requirements Under Section 110 and Part D of Title I of the CAA

In accordance with section 107(d)(3)(E)(v) of the CAA, to redesignate the Muscatine NAA to attainment, Iowa must meet all requirements applicable for purposes of redesignation to the Muscatine NAA under CAA section 110 (general SIP requirements) and part D of title I of the CAA (SIP requirements for nonattainment areas).

1. Section 110 General Requirements for SIPs

Pursuant to CAA section 110(a)(1), whenever new or revised NAAQS are promulgated, the CAA requires States to submit a plan (*i.e.,* SIP) for the implementation, maintenance, and enforcement of such NAAQS. Section

[24] The EPA approved elements of Iowa's Infrastructure SIP requirements for the 2010 SO_2 NAAQS to meet the requirements of section 110(a)(2)(E)(i) of the CAA on March 22, 2018 (83 FR 12486).

[25] See 2014 SO_2 Guidance, at 69.

110(a)(2) of title I of the CAA contains the general requirements for a SIP, also known as ''infrastructure'' requirements. These requirements include, but are not limited to, the following: Submittal of a SIP that has been adopted by the State after reasonable public notice and hearing; provisions for establishment and operation of appropriate procedures needed to monitor ambient air quality; implementation of a source permit program; provisions for the implementation of part C requirements (Prevention of Significant Deterioration (PSD)) and provisions for the implementation of part D requirements (New Source Review (NSR) permit programs); provisions for air pollution modeling; and provisions for public and local agency participation in planning and emissions control rule development.

Section 110(a)(2)(D) requires that SIPs contain certain measures to prevent sources in a State from significantly contributing to air quality problems in another State. To implement this provision, the EPA has required certain States to establish programs to address the interstate transport of air pollutants. The section 110(a)(2)(D) requirements for a state are not linked with a nonattainment area's designation and classification in that State and are therefore not applicable for purposes of an area's redesignation. The transport SIP submittal requirements, where applicable, continue to apply to a state regardless of the designation of any one area in the state.

In addition, other section 110 elements that are neither connected with nonattainment plan submissions nor linked with an area's attainment status are not applicable requirements for purposes of redesignation. The area will still be subject to these requirements after the area is redesignated. The section 110 and part D requirements which are linked with an area's designation and classification are the relevant measures to evaluate in reviewing a redesignation request. This approach is consistent with the EPA's existing policy on applicability (*i.e.,* for redesignations) of conformity and oxygenated fuels requirements, as well as with section 184 ozone transport requirements.[26]

The EPA approved elements of Iowa's July 19, 2013 SO_2 infrastructure SIP submittal on March 22, 2018.[27] As explained previously, certain general requirements of CAA section 110(a)(2) are statewide requirements that are not linked to the nonattainment status of the Muscatine NAA and are therefore not ''applicable requirements'' for the purpose of reviewing Iowa's redesignation request. Nevertheless, Iowa submitted and EPA approved the State's SO_2 infrastructure SIP. The EPA proposes to conclude that Iowa has satisfied the criterion of section 107(d)(3)(E)(v) related to section 110(a)(2) of the CAA.

2. Part D Requirements

In addition to the CAA section 110 requirements, section 107(d)(3)(E)(v) requires that the state meet all the requirements applicable to the nonattainment area ''under part D of this subchapter'' for the nonattainment area to be redesignated. Both section 107 and part D are within subchapter 1 of the CAA. Part D, entitled ''Plan Requirements for Nonattainment Areas,'' consists of six subparts, of which only subparts 1 and 5 are applicable to SO_2 nonattainment areas. Subpart 1 (sections 171 through 179B) contains provisions that can apply to all nonattainment areas for all criteria pollutants, while subpart 5 (sections 191 through 192) contains additional provisions for SO_2, NO_X, or lead nonattainment areas. The requirements applicable to this redesignation are discussed below.

a. Subpart 1 Requirements

CAA section 172 requires states with nonattainment areas to submit plans that provide for timely attainment of the NAAQS. More specifically, CAA section 172(c) contains general requirements for nonattainment plans. A thorough discussion of these requirements is found in the General Preamble for Implementation of title I.[28]

As noted in the General Preamble, certain attainment-related planning requirements under section 172(c) no longer have meaning for an area that is already attaining the NAAQS, and therefore are not applicable for purposes of redesignation. For example, for an area that is already attaining the NAAQS, there would be nothing for the State to provide to show reasonable further progress to attainment in that area. Similarly, the CAA section 172 requirements for the attainment demonstration, implementation of reasonably available control measures, including reasonably available control technology, and contingency measures that are triggered if an area fails to meet RFP or fails to attain are also not applicable for purposes of redesignation. Nevertheless, as discussed earlier, Iowa submitted and EPA approved an attainment plan addressing the attainment planning requirements.[29]

With respect to CAA section 172(c)(3), Iowa was required to submit an actual current emissions inventory with its attainment plan. Iowa had submitted a base year inventory with its attainment plan SIP on May 26, 2016, and the EPA approved this element on November 17, 2020.[30]

Section 173 of the CAA includes requirements for permit programs that are required in a nonattainment area for new sources as required by section 172(c)(5), known as nonattainment new source review (NNSR). However, the EPA has a longstanding interpretation that because the NNSR permit program is replaced by the PSD permit program upon an area's redesignation to attainment, nonattainment areas seeking redesignation to attainment do not need a fully approved part D NNSR program to be redesignated. A more detailed rationale for this view is described in a memorandum from Mary Nichols, Assistant Administrator for Air and Radiation, dated October 14, 1994, entitled, ''Part D New Source Review Requirements for Areas Requesting Redesignation to Attainment.'' [31] Nevertheless, the EPA notes that the Iowa currently has fully-approved NNSR and PSD programs in place at 567 IAC Chapter 31 and 567 IAC Chapter 33, respectively. Iowa's PSD program will become applicable for SO_2 in the Muscatine NAA upon redesignation to attainment.

CAA section 175A requires that states seeking redesignation of an area to attainment submit a ''maintenance plan'' containing certain elements. Iowa included a maintenance plan for the Muscatine NAA with its November 17, 2021 redesignation request, which the EPA is proposing to approve in conjunction with the redesignation, and it is discussed in detail in section V., Criterion (4) of this document.

Section 176(c) of the CAA requires that Federal actions conform to the air quality planning goals in the applicable SIP. The requirement to determine conformity applies to transportation

[26] *See* Reading, Pennsylvania, proposed and final rulemakings (61 FR 53174–53176, October 10, 1996), (62 FR 24826, May 7, 2008); Cleveland-Akron-Loraine, Ohio, final rulemaking (61 FR 20458, May 7,1996); and Tampa, Florida, final rulemaking at (60 FR 62748, December 7, 1995). *See also* the discussion on this issue in the Cincinnati, Ohio, redesignation (65 FR 37890, June 19, 2000), and in the Pittsburgh, Pennsylvania, redesignation (66 FR 50399, October 19, 2001).

[27] 83 FR 12486, March 22, 2018.

[28] 57 FR 13498, April 16, 1992.

[29] 85 FR 73218, November 17, 2020.

[30] *Id.*

[31] Available at at *https://www.epa.gov/sites/default/files/2015-07/documents/101494m.pdf.*

plans, programs, and projects that are developed, funded, or approved under title 23 of the United States Code and the Federal Transit Act (transportation conformity) as well as to all other Federally-supported or funded projects (general conformity). Section 176(c) of the CAA also requires that states establish criteria and procedures to ensure that Federally-supported or funded transportation plans, transportation improvement programs (TIPs) and projects conform to the goals of the applicable SIP. This is referred to as a transportation conformity SIP. In the preamble to the January 1993 proposed transportation conformity rule, the EPA stated that, ''Based on available emissions information, the EPA believes highway and transit motor vehicles are not significant sources of lead or sulfur dioxide. Therefore, transportation plans, TIPs, and projects are presumed to conform to the applicable implementation plans for these pollutants.'' [32] In November 1993, the EPA finalized its transportation conformity regulations. One section of those regulations addressed the geographic applicability of the transportation conformity regulations. The regulation stated at that time that, ''The provisions of this subpart apply with respect to emissions of the following criteria pollutants: Ozone, carbon monoxide, nitrogen dioxide, and particles with an aerodynamic diameter less than or equal to a nominal 10 micrometers (PM_{10}).'' [33] Based on this provision, transportation conformity does not apply in nonattainment or maintenance areas for SO_2. Therefore, a transportation conformity SIP is not required for SO_2 nonattainment and maintenance areas and is not necessary for an SO_2 nonattainment area to be redesignated to attainment, and the EPA's transportation conformity rules do not apply to SO_2 for the Muscatine NAA.

Section 179(a) of the CAA addresses potential sanctions for the failure of a State to submit certain required SIP elements by statutory deadlines. The EPA is not aware of any missing or incomplete Muscatine NAA planning elements subject to section 179(a) of the CAA.

b. Subpart 5 Requirements

The subpart 5 requirements, which consist of sections 191 and 192 of the CAA, are specific provisions applicable to SO_2, NO_2, or lead nonattainment areas. Section 191 of the CAA requires states with areas designated nonattainment for SO_2, NO_2, or lead after November 15, 1990, to submit within 18 months of the designation an implementation plan meeting the requirements of part D. The substance of the required plans is established by section 172(c). As noted, Iowa submitted its attainment plan and EPA approved that plan on November 17, 2020.[34]

Section 192 sets forth attainment dates for nonattainment areas under section 191. For SO_2, section 192(a) requires that attainment plans provide for attainment of the primary standard as expeditiously as possible, but no later than five years from the date of the nonattainment designation. The EPA designated the Muscatine NAA as nonattainment on August 5, 2013, with an attainment date of October 4, 2018.[35] However, because the EPA is reviewing a redesignation request under section 107(d)(3)(E), rather than a determination of attainment under section 179(c), the determination of whether the Area attained by the attainment date set forth in section 192 is not applicable to this action proposing approval of Iowa's redesignation request.

Based on the above, the EPA is proposing to find that Iowa has satisfied the applicable requirements for the redesignation of the Muscatine NAA under section 110 and part D of title I of the CAA.

VI. What is the EPA's analysis of the SIP-approved permit modifications?

Iowa's 2021 redesignation request and maintenance plan for the Muscatine NAA requests revisions to source-specific air construction permits relied upon in the 2016 attainment plan. The State's model-based attainment demonstration from its 2016 attainment plan, which the EPA approved on November 17, 2020, was based on SO_2 controls and emission limitations contained in final air construction permits issued by IDNR and the EPA's approval action incorporated a total of 58 construction permits into the Iowa SIP. Iowa's 2021 submittal requests that the EPA make several revisions to SIP-approved construction permits for the three sources within the nonattainment area, and also requests removal of twelve permits from the SIP for GPC. The 2021 SIP submission also includes modeling to demonstrate that the Muscatine area will continue to attain the 2010 SO_2 NAAQS as a result of compliance with the revised permit limits.

As part of the 2021 submission, Iowa also requests to remove eight permits for these three sources that were originally incorporated into the Iowa SIP pursuant to the 1971 24-hour SO_2 primary standard. In 1994, the EPA designated a portion of Muscatine County as nonattainment. The state subsequently developed an attainment plan that contained control measures for GPC, MPW, and Monsanto.[36] The EPA redesignated the area to attainment in 1998 (63 FR 13343, March 19, 1998) and approved the state's second 10-year maintenance plan on August 1, 2007 (72 FR 41900). The underlying permit requirements associated with those actions are no longer needed due to the revocation of the 1971 24-hour and annual primary SO_2 NAAQS.[37]

All of the permit changes requested by Iowa are summarized below and in sections 5.1 *Source Summary Tables* and 9. *Removal of Provisions for the Revoked SO_2 Standards* of the State submittal included in the docket for this action. The new and modified permits being incorporated into the SIP are contained in Attachments 1 through 3 of the State submittal in the docket for this action.

A. Removal of Permits From the Iowa SIP

Iowa requests to remove twelve GPC permits relied upon in the 2016 attainment plan for emission points (stacks) no longer in service. The permit removals are described in table 5.

[32] 58 FR 3776, January 11, 1993.

[33] This provision has been revised to include particles with an aerodynamic diameter less than or equal to a nominal 2.5 micrometers ($PM_{2.5}$). See 40 CFR 93.102(b)(1).

[34] 85 FR 73218, November 17, 2020.

[35] 78 FR 47191, August 5, 2013.

[36] The attainment plan and permits were submitted in 1996 (revised in 1997) and approved by EPA on December 1, 1997 (62 FR 63454).

[37] The 2010 primary SO_2 NAAQS revision (75 FR 35519, June 22, 2010) included provisions to revoke both the 24-hour and annual average primary SO_2 standards. In Muscatine, those standards ceased to apply on October 4, 2014, one year after its designation for the 2010 1-hour SO_2 standard.

TABLE 5—GPC PERMITS FOR REMOVAL FROM THE IOWA SIP

Permit No.	Justification
15–A–078 ..... 79–A–194–S2	Two stacks removed from service and the emission units were vented to a new stack with scrubbers and a SO_2 RACT limit (see permit #17–A–298).
74–A–014–S1 ..... 74–A–015–S2 79–A–195–S2	Three stacks removed from service and the emission units were vented to a new stack with scrubbers and a SO_2 RACT limit (see permit #17–A–299).
71–A–067–S4	Stack was removed from service and the emission source was decommissioned.
15–A–202 ..... 15–A–209	Two stacks were removed from service and the units were vented to an existing emission point with a scrubber (see permit #15–A–200–S1).
11–A–338–S1 ..... 15–A–354	Two stacks were removed from service and the units were vented to an existing emission point (see permit #15–A–213–S2).
05–A–926–S4	One stack was removed from service and some units were vented to a new stack (see permit #17–A–112). Some units were decommissioned.
75–A–087–S1	One stack was removed from service and the emission units were vented to a new stack with a SO_2 RACT limit (see #19–A–515–S1).

Iowa also requests that EPA remove eight permits from the SIP due to the revocation of the 24-hour and annual primary SO_2 NAAQS. The permit removals are described in table 6.

TABLE 6—PERMITS FOR REMOVAL FROM THE IOWA SIP DUE TO THE REVOKED SO_2 NAAQS

Facility	Permit No.	Justification
GPC	74–A–015–S	This emission point no longer exists.
	79–A–194–S	This emission point no longer exists.
	79–A–195–S	This emission point no longer exists.
	95–A–374	Replaced by SIP-approved permit 95–A–374–S4.*
MPW	74–A–175–S	Replaced by SIP-approved permit 74–A–175–S4.*
	95–A–373	Replaced by SIP-approved permit 95–A–373–P3*; updating to 95–A–373–P4.
Monsanto	76–A–161S3 ..... 76–A–265S3	In 2012, Boilers #6 and #7 were both restricted to combusting only natural gas and their SO_2 limits were removed from the modified permits.

* Approved by EPA on November 17, 2020 (85 FR 73218), as part of the DNR's attainment plan for the 1-hour SO_2 NAAQS.

B. New Permits To Be Added to the Iowa SIP

Iowa requests to add five new permits into the SIP for the 2010 1-hour SO_2 NAAQS. The new permits are for four new stacks and one newly identified SO_2 emission source. The new permits are summarized in table 7.

TABLE 7—GPC PERMITS TO BE ADDED TO THE IOWA SIP

Permit No.	Justification
17–A–298	New stack with scrubbers and a SO_2 RACT limit.
17–A–299	New stack with scrubbers and a SO_2 RACT limit.
17–A–112	New stack retains some existing units, adds new units, and retains the unchanged SO_2 RACT limit from the previous stack.
19–A–515–S1	New stack with a SO_2 RACT limit.
18–A–136	Permit to establish a SO_2 RACT limit for a previously unidentified SO_2 source.

C. Modifications to Existing Permits in the Iowa SIP

Iowa also requests to modify twenty GPC permits, two MPW permits, and one Monsanto permit in the Iowa SIP that were relied upon in the 2016 attainment plan. Several revisions to GPC permits establish a Collection of Air Permits (CAP) which is a type of air construction permit issued by IDNR that combines the requirements and conditions for multiple emission points (and thus multiple permit numbers) into one document. The permit modifications are described in table 8.

TABLE 8—MODIFICATIONS TO EXISTING PERMITS IN THE IOWA SIP

Facility	Outdated permit No.	Replacement permit No.	Description of modification
GPC	80–A–149–S5	CAP: 80–A–149–S6	All requirements moved into a CAP, SO_2 RACT limit unchanged.
GPC	80–A–150–S5	CAP: 80–A–150–S6	
GPC	85–A–031–S2	CAP: 85–A–031–S5	All requirements moved into a CAP, dispersion parameters updated, RACT limit changed from 0.014 to 0.017 lb/hr (combined).
GPC	85–A–032–S2	CAP: 85–A–032–S5	

TABLE 8—MODIFICATIONS TO EXISTING PERMITS IN THE IOWA SIP—Continued

Facility	Outdated permit No.	Replacement permit No.	Description of modification
GPC	91–A–068–S2	91–A–068–S3	Increase in operating capacity, SO_2 RACT limit unchanged.
GPC	92–A–383–S2	92–A–383–S3	Dispersion parameters updated, SO_2 RACT limit unchanged.
GPC	92–A–385–S1	92–A–385–S2	Dispersion parameters updated, SO_2 RACT limit unchanged.
GPC	94–A–055–S1	CAP: 94–A–055–S3	All requirements moved into a CAP, dispersion parameters updated, new low emissions burner for other pollutants, SO_2 RACT limit unchanged.
GPC	94–A–061–S1	CAP: 94–A–061–S3	
GPC	02–A–781–S2	02–A–781–S3	Permit update unrelated to SO_2.
GPC	02–A–782–S2	02–A–782–S3	Permit update unrelated to SO_2.
GPC	10–A–563–S1	10–A–563–S2	Dispersion parameters updated, SO_2 RACT limit unchanged.
GPC	15–A–200	15–A–200–S1	Added emission units vented to this stack, retained the sodium bisulfate requirements, SO_2 RACT limit unchanged.
GPC	15–A–201	15–A–201–S1	Additional equipment (*e.g.,* tanks, grinding & separation equipment) identified as SO_2 sources and vented here, scrubber installed as previously required, sodium bisulfite requirements retained, SO_2 RACT limit unchanged.
GPC	15–A–213	15–A–213–S2	Added emission units vented to this stack, updated the dispersion parameters, SO_2 RACT limit unchanged.
GPC	15–A–486	15–A–486–S1	Additional equipment permitted (adds capacity), SO_2 RACT limit changed from 0.201 to 0.27 lb/hr.
GPC	15–A–326	15–A–326–S1	Capacity restrictions added, SO_2 RACT limit unchanged.
GPC	03–A–471–S1	03–A–471–S3	Dispersion parameters updated, SO_2 RACT limit unchanged.
GPC	06–A–1261–S1	06–A–1261–S2	Permit update unrelated to SO_2.
GPC	15–A–199	15–A–199–S1	Annual throughput revised, SO_2 RACT limit unchanged.
MPW	95–A–373–P3	95–A–373–P4	Permit update unrelated to SO_2.
MPW	80–A–191–P3	80–A–191–P4	Permit update unrelated to SO_2.
Monsanto	82–A–092–P11	82–A–092–P12	Converted Boiler #8 from combusting primarily coal to natural gas only, updated the dispersion parameters, and reduced the SO_2 RACT limit.

D. EPA Analysis of Permit Revisions

With the proposed revisions, Iowa's SIP will contain a total of 51 air construction permits for the 2010 SO_2 NAAQS. The total number of GPC permits will be reduced from 52 to 45 permits. The total number of MPW permits will remain at four and the total number of Monsanto permits will remain at two.

The new and modified air construction permits include emission limits, timetables for compliance, reporting, and recordkeeping requirements. Each permit also contains performance testing (emissions testing) obligations with specific schedules, methods, and frequencies for compliance. Additionally, GPC, MPW, and Monsanto are major sources under the Title V operating permit program and are subject to semi-annual reports requirements.

The EPA reviewed the submitted permit revisions in accordance with the anti-backsliding provisions of CAA section 110(l). With the submitted permit revisions, the total maximum permitted allowable emissions for the three facilities in the NAA were reduced from 6,414 tpy in the 2016 attainment plan to 5,555 tpy in the 2021 maintenance plan. While some RACT limits were increased in the modified permits and new RACT limits were added in new permits, the EPA finds the resulting relatively small emissions increase is offset by larger emissions reductions from the removal or modification of other permits. To further demonstrate that the Muscatine NAA will continue to attain and maintain the 2010 SO_2 NAAQS with the submitted permit updates, Iowa also provided updated dispersion modeling based on the maximum permitted allowable emissions in its 2021 SIP submission. As discussed in the maintenance demonstration section above, the EPA reviewed the modeling analysis submitted by Iowa and finds the revised control measures for GPC, MPW, and Monsanto continue to provide for attainment and maintenance of the 2010 SO_2 NAAQS.

For the removal of source-specific permits due to the revocation of the 24-hour and annual primary SO_2 NAAQS, the anti-backsliding provisions of CAA section 110(l) are satisfied by replacement with the attainment plan, maintenance plan, and associated permits for the more stringent 2010 1-hour SO_2 standard. Accordingly, the emission limits approved into the SIP for the 1-hour SO_2 NAAQS (through the permits incorporated into the SIP either through the attainment or maintenance plan) are more stringent than the prior emission limits for the revoked 24-hour or annual primary SO_2 NAAQS. These permits were specifically for units that either no longer operate or have more stringent limits in place.

For these reasons, the EPA proposes to find that the submitted permit revisions in Iowa's 2021 SIP request will not interfere with any applicable requirement concerning attainment and reasonable further progress (as defined in section 171 of the CAA) or any other applicable requirement of the CAA, as required under section 110(l) of the Act. Accordingly, the EPA proposes to approve revisions to source-specific permits to add five new permits, replace twenty-three revised permits, and remove twenty permits for Muscatine area sources in the Iowa SIP as detailed in sections 5.1 and 9 of the State submission. For new or revised permits, the EPA is proposing to approve the entire permits into the SIP, consistent with Iowa's request.

VII. What action is the EPA proposing to take?

The EPA is proposing to approve Iowa's redesignation request for the Muscatine NAA. Final approval of the redesignation request would change the legal designation of the portion of Muscatine County designated nonattainment at 40 CFR 81.316 to attainment for the 2010 1-hour primary SO_2 NAAQS. The EPA is also proposing to approve Iowa's maintenance plan for the 2010 1-hour SO_2 NAAQS for the Muscatine nonattainment area. Finally, the EPA is proposing to add new or revised permits for Muscatine area sources into the Iowa SIP and remove certain air construction permits from the SIP. The EPA is processing this as a proposed action because we are soliciting comments on this proposed

action. Final rulemaking will occur after consideration of any comments.

VIII. Incorporation by Reference

In this document, the EPA is proposing to include regulatory text in an EPA final rule that includes incorporation by reference. In accordance with requirements of 1 CFR 51.5, the EPA is proposing to delete Iowa permits #74–A–015–S, #79–A–194–S, #79–A–195–S, #95–A–374, #74–A–175–S, #95–A–373, #76–A–161S3, #76–A–265S3, #15–A–078, #79–A–194–S2, #71–A–067–S4, #75–A–087–S1, #74–A–014–S1, #74–A–015–S2, #79–A–195–S2, #80–A–149–S5, #80–A–150–S5, #85–A–031–S2, #85–A–032–S2, #91–A–068–S2, #92–A–383–S2, #92–A–385–S1, #94–A–055–S1, #94–A–061–S1, #02–A–781–S2, #02–A–782–S2, #10–A–563–S1, #15–A–200, #15–A–201, #15–A–202, #15–A–209, #15–A–213, #15–A–486, #15–A–326, #03–A–471–S1, #05–A–926–S4, #06–A–1261–S1, #11–A–338–S1, #15–A–354, #15–A–199, #95–A–373–P3, #80–A–191–P3, and #82–A–092–P11. The EPA is proposing to add incorporation by reference of Iowa permits #17–A–298, #17–A–299, #19–A–515–S1, #18–A–136, #17–A–112, #80–A–149–S6, #80–A–150–S6, #85–A–031–S5, #85–A–032–S5, #91–A–068–S3, #92–A–383–S3, #92–A–385–S2, #94–A–055–S3, #94–A–061–S3, #02–A–781–S3, #02–A–782–S3, #10–A–563–S2, #15–A–200–S1, #15–A–201–S1, #15–A–213–S2, #15–A–486–S1, #15–A–326–S1, #03–A–471–S3, #06–A–1261–S2, #15–A–199–S1, #95–A–373–P4, #80–A–191–P4, and #82–A–092–P12 discussed in sections IV.-VII. of this preamble and as set forth below in the proposed amendments to 40 CFR part 52. The EPA has made, and will continue to make, these materials generally available through *https://www.regulations.gov* and at the EPA Region 7 Office (please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section of this preamble for more information).

IX. Statutory and Executive Order Reviews

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

- Is not a significant regulatory action subject to review by the Office of Management and Budget under Executive Order 12866 (58 FR 51735, October 4, 1993);
- Is not subject to Executive Order 14192 (90 FR 9065, February 6, 2025) because SIP actions are exempt from review under Executive Order 12866;
- Does not impose an information collection burden under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*);
- Is certified as not having a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*);
- Does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4);
- Does not have federalism implications as specified in Executive Order 13132 (64 FR 43255, August 10, 1999);
- Is not subject to Executive Order 13045 (62 FR 19885, April 23, 1997) because it approves a state program;
- Is not a significant regulatory action subject to Executive Order 13211 (66 FR 28355, May 22, 2001); and
- Is not subject to requirements of section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) because application of those requirements would be inconsistent with the CAA.

In addition, the SIP is not approved to apply on any Indian reservation land or in any other area where the EPA or an Indian Tribe has demonstrated that a Tribe has jurisdiction. In those areas of Indian country, the rule does not have Tribal implications and will not impose substantial direct costs on Tribal governments or preempt Tribal law as specified by Executive Order 13175 (65 FR 67249, November 9, 2000).

List of Subjects

40 CFR Part 52

Environmental protection, Air pollution control, Incorporation by reference, Maintenance plan, Redesignation, Sulfur oxides.

40 CFR Part 81

Environmental protection, Air pollution control, Designations, Intergovernmental relations, Redesignation, Reporting and recordkeeping requirements, Sulfur oxides.

Dated: August 8, 2025.

James Macy,

Regional Administrator, Region 7.

For the reasons stated in the preamble, the EPA proposes to amend 40 CFR parts 52 and 81 as set forth below:

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

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

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

Subpart Q—Iowa

■ 2. In § 52.820:

■ a. The table in paragraph (d) is amended by:

■ i. Revising the entries ''(113),'' ''(114),'' ''(115),'' ''(116),'' ''(118),'' ''(122),'' ''(123),'' ''(124),'' ''(125),'' ''(129),'' ''(131),'' ''(132),'' ''(133),'' ''(134),'' ''(135),'' ''(136),'' ''(138),'' ''(139),'' ''(140),'' ''(153),'' ''(156),'' ''(157),'' ''(158),'' ''(160),'' ''(163),'' ''(166),'' ''(167),'' and ''(168)''; and

■ ii. Removing and reserving entries ''(3),'' ''(4),'' ''(5),'' ''(6),'' ''(7),'' ''(8),'' ''(9),'' ''(10),'' ''(119),'' ''(121),'' ''(141),'' ''(148),'' ''(159),'' ''(161),'' and ''(162)''.

■ b. The table in paragraph (e) is amended by adding the entry ''(57)'' to the end of the table.

The revisions and addition read as follows:

§ 52.820 Identification of plan.

* * * * *

(d) * * *

EPA-APPROVED IOWA SOURCE-SPECIFIC ORDERS/PERMITS

Name of source	Order/permit No.	State effective date	EPA approval date	Explanation
*	*	*	*	*

(3) Reserved

(4) Reserved

EPA-APPROVED IOWA SOURCE-SPECIFIC ORDERS/PERMITS—Continued

Name of source	Order/permit No.	State effective date	EPA approval date	Explanation
(5) Reserved				
(6) Reserved				
(7) Reserved				
(8) Reserved				
(9) Reserved				
(10) Reserved				
*	*	*	* *	* *
(113) Grain Processing Corporation.	17–A–298	4/12/2018	[Date of publication of the final rule in the **Federal Register**], 90 FR [**Federal Register** page where the document begins of the final rule].	2010 1-hour SO_2 NAAQS Attainment Plan; EPA–R07–OAR–2025–0818; FRL–12901–01–R7.
(114) Grain Processing Corporation.	17–A–299	4/12/2018	[Date of publication of the final rule in the **Federal Register**], 90 FR [**Federal Register** page where the document begins of the final rule].	2010 1-hour SO_2 NAAQS Attainment Plan; EPA–R07–OAR–2025–0818; FRL–12901–01–R7.
(115) Grain Processing Corporation.	19–A–515–S1	12/22/2020	[Date of publication of the final rule in the **Federal Register**], 90 FR [**Federal Register** page where the document begins of the final rule].	2010 1-hour SO_2 NAAQS Attainment Plan; EPA–R07–OAR–2025–0818; FRL–12901–01–R7.
(116) Grain Processing Corporation.	18–A–136	5/30/2018	[Date of publication of the final rule in the **Federal Register**], 90 FR [**Federal Register** page where the document begins of the final rule].	2010 1-hour SO_2 NAAQS Attainment Plan; EPA–R07–OAR–2025–0818; FRL–12901–01–R7.
*	*	*	* *	* *
(118) Grain Processing Corporation.	17–A–112	5/2/2017	[Date of publication of the final rule in the **Federal Register**], 90 FR [**Federal Register** page where the document begins of the final rule].	2010 1-hour SO_2 NAAQS Attainment Plan; EPA–R07–OAR–2025–0818; FRL–12901–01–R7.
(119) Reserved				
*	*	*	* *	* *
(121) Reserved				
(122) Grain Processing Corporation.	80–A–149–S6	2/21/2017	[Date of publication of the final rule in the **Federal Register**], 90 FR [**Federal Register** page where the document begins of the final rule].	2010 1-hour SO_2 NAAQS Attainment Plan; EPA–R07–OAR–2025–0818; FRL–12901–01–R7.
(123) Grain Processing Corporation.	80–A–150–S6	2/21/2017	[Date of publication of the final rule in the **Federal Register**], 90 FR [**Federal Register** page where the document begins of the final rule].	2010 1-hour SO_2 NAAQS Attainment Plan; EPA–R07–OAR–2025–0818; FRL–12901–01–R7.
(124) Grain Processing Corporation.	85–A–031–S5	5/19/2020	[Date of publication of the final rule in the **Federal Register**], 90 FR [**Federal Register** page where the document begins of the final rule].	2010 1-hour SO_2 NAAQS Attainment Plan; EPA–R07–OAR–2025–0818; FRL–12901–01–R7.
(125) Grain Processing Corporation.	85–A–032–S5	5/19/2020	[Date of publication of the final rule in the **Federal Register**], 90 FR [**Federal Register** page where the document begins of the final rule].	2010 1-hour SO_2 NAAQS Attainment Plan; EPA–R07–OAR–2025–0818; FRL–12901–01–R7.
*	*	*	* *	* *
(129) Grain Processing Corporation.	91–A–068–S3	11/4/2019	[Date of publication of the final rule in the **Federal Register**], 90 FR [**Federal Register** page where the document begins of the final rule].	2010 1-hour SO_2 NAAQS Attainment Plan; EPA–R07–OAR–2025–0818; FRL–12901–01–R7.
*	*	*	* *	* *
(131) Grain Processing Corporation.	92–A–383–S3	10/11/2016	[Date of publication of the final rule in the **Federal Register**], 90 FR [**Federal Register** page where the document begins of the final rule].	2010 1-hour SO_2 NAAQS Attainment Plan; EPA–R07–OAR–2025–0818; FRL–12901–01–R7.
(132) Grain Processing Corporation.	92–A–385–S2	10/11/2016	[Date of publication of the final rule in the **Federal Register**], 90 FR [**Federal Register** page where the document begins of the final rule].	2010 1-hour SO_2 NAAQS Attainment Plan; EPA–R07–OAR–2025–0818; FRL–12901–01–R7.
(133) Grain Processing Corporation.	94–A–055–S3	5/13/2021	[Date of publication of the final rule in the **Federal Register**], 90 FR [**Federal Register** page where the document begins of the final rule].	2010 1-hour SO_2 NAAQS Attainment Plan; EPA–R07–OAR–2025–0818; FRL–12901–01–R7.

EPA-APPROVED IOWA SOURCE-SPECIFIC ORDERS/PERMITS—Continued

Name of source	Order/permit No.	State effective date	EPA approval date	Explanation
(134) Grain Processing Corporation.	94–A–061–S3	5/13/2021	[Date of publication of the final rule in the **Federal Register**], 90 FR [**Federal Register** page where the document begins of the final rule].	2010 1-hour SO_2 NAAQS Attainment Plan; EPA–R07–OAR–2025–0818; FRL–12901–01–R7.
(135) Grain Processing Corporation.	02–A–781–S3	2/8/2018	[Date of publication of the final rule in the **Federal Register**], 90 FR [**Federal Register** page where the document begins of the final rule].	2010 1-hour SO_2 NAAQS Attainment Plan; EPA–R07–OAR–2025–0818; FRL–12901–01–R7.
(136) Grain Processing Corporation.	02–A–782–S3	2/8/2018	[Date of publication of the final rule in the **Federal Register**], 90 FR [**Federal Register** page where the document begins of the final rule].	2010 1-hour SO_2 NAAQS Attainment Plan; EPA–R07–OAR–2025–0818; FRL–12901–01–R7.
*	*	*	* *	* *
(138) Grain Processing Corporation.	10–A–563–S2	7/25/2017	[Date of publication of the final rule in the **Federal Register**], 90 FR [**Federal Register** page where the document begins of the final rule].	2010 1-hour SO_2 NAAQS Attainment Plan; EPA–R07–OAR–2025–0818; FRL–12901–01–R7.
(139) Grain Processing Corporation.	15–A–200–S1	4/12/2018	[Date of publication of the final rule in the **Federal Register**], 90 FR [**Federal Register** page where the document begins of the final rule].	2010 1-hour SO_2 NAAQS Attainment Plan; EPA–R07–OAR–2025–0818; FRL–12901–01–R7.
(140) Grain Processing Corporation.	15–A–201–S1	4/12/2018	[Date of publication of the final rule in the **Federal Register**], 90 FR [**Federal Register** page where the document begins of the final rule].	2010 1-hour SO_2 NAAQS Attainment Plan; EPA–R07–OAR–2025–0818; FRL–12901–01–R7.
(141) Reserved				
*	*	*	* *	* *
(148) Reserved				
*	*	*	* *	* *
(153) Grain Processing Corporation.	15–A–213–S2	12/22/2020	[Date of publication of the final rule in the **Federal Register**], 90 FR [**Federal Register** page where the document begins of the final rule].	2010 1-hour SO_2 NAAQS Attainment Plan; EPA–R07–OAR–2025–0818; FRL–12901–01–R7.
*	*	*	* *	* *
(156) Grain Processing Corporation.	15–A–486–S1	11/4/2019	[Date of publication of the final rule in the **Federal Register**], 90 FR [**Federal Register** page where the document begins of the final rule].	2010 1-hour SO_2 NAAQS Attainment Plan; EPA–R07–OAR–2025–0818; FRL–12901–01–R7.
(157) Grain Processing Corporation.	15–A–326–S1	3/4/2020	[Date of publication of the final rule in the **Federal Register**], 90 FR [**Federal Register** page where the document begins of the final rule].	2010 1-hour SO_2 NAAQS Attainment Plan; EPA–R07–OAR–2025–0818; FRL–12901–01–R7.
(158) Grain Processing Corporation.	03–A–471–S3	5/30/2018	[Date of publication of the final rule in the **Federal Register**], 90 FR [**Federal Register** page where the document begins of the final rule].	2010 1-hour SO_2 NAAQS Attainment Plan; EPA–R07–OAR–2025–0818; FRL–12901–01–R7.
(159) Reserved				
(160) Grain Processing Corporation.	06–A–1261–S2	12/22/2020	[Date of publication of the final rule in the **Federal Register**], 90 FR [**Federal Register** page where the document begins of the final rule].	2010 1-hour SO_2 NAAQS Attainment Plan; EPA–R07–OAR–2025–0818; FRL–12901–01–R7.
(161) Reserved				
(162) Reserved				
(163) Grain Processing Corporation.	15–A–199–S1	1/11/2021	[Date of publication of the final rule in the **Federal Register**], 90 FR [**Federal Register** page where the document begins of the final rule].	2010 1-hour SO_2 NAAQS Attainment Plan; EPA–R07–OAR–2025–0818; FRL–12901–01–R7.
*	*	*	* *	* *
(166) Muscatine Power and Water.	95–A–373–P4	6/1/2016	[Date of publication of the final rule in the **Federal Register**], 90 FR [**Federal Register** page where the document begins of the final rule].	2010 1-hour SO_2 NAAQS Attainment Plan; EPA–R07–OAR–2025–0818; FRL–12901–01–R7.

EPA-APPROVED IOWA SOURCE-SPECIFIC ORDERS/PERMITS—Continued

Name of source	Order/permit No.	State effective date	EPA approval date	Explanation
(167) Muscatine Power and Water.	80–A–191–P4	6/1/2016	[Date of publication of the final rule in the **Federal Register**], 90 FR [**Federal Register** page where the document begins of the final rule].	2010 1-hour SO_2 NAAQS Attainment Plan; EPA–R07–OAR–2025–0818; FRL–12901–01–R7.
(168) Monsanto	82–A–092–P12	11/1/2016	[Date of publication of the final rule in the **Federal Register**], 90 FR [**Federal Register** page where the document begins of the final rule].	2010 1-hour SO_2 NAAQS Attainment Plan; EPA–R07–OAR–2025–0818; FRL–12901–01–R7.
*	*	*	*	* * *

(e) * * *

EPA-APPROVED IOWA NONREGULATORY PROVISIONS

Name of nonregulatory SIP provision	Applicable geographic or nonattainment area	State submittal date	EPA approval date	Explanation
*	* *	*	* * *	*
(57) 2010 1-hour primary SO_2 NAAQS Maintenance Plan.	A portion of Muscatine County.	11/17/2021	[Date of publication of the final rule in the **Federal Register**], 90 FR [**Federal Register** page where the document begins of the final rule].	EPA–R07–OAR–2025–0818; FRL–12901–01–R7.

■ 3. In § 52.834, add paragraph (c) to read as follows:

§ 52.834 Control strategy: Sulfur dioxide.

* * * * *

(c) *Redesignation to attainment.* EPA has determined, as of [date of publication of the final rule in the **Federal Register**], that the Muscatine County 2010 SO_2 nonattainment area is redesignated to attainment of the 2010 SO_2 1-hour National Ambient Air Quality Standard (NAAQS) in accordance with the requirements of Clean Air Act (CAA) section 107(d)(3) and has approved its maintenance plan and supplemental modeling demonstration analyses as meeting the requirements of CAA section 175A.

PART 81—DESIGNATION OF AREAS FOR AIR QUALITY PLANNING PURPOSES

■ 4. The authority citation for part 81 continues to read as follows:

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

Subpart C—Section 107 Attainment Status Designations

■ 5. In § 81.316, the table entitled ''Iowa—2010 Sulfur Dioxide NAAQS [Primary]'' is amended by revising the entry ''Muscatine, IA'' to read as follows:

§ 81.316 Iowa.

* * * * *

IOWA—2010 SULFUR DIOXIDE NAAQS

[Primary]

Designated area [1]	Designation	
	Date [2]	Type
Muscatine, IA	[Date of publication of the final rule in the **Federal Register**].	Attainment.
Muscatine County (part):		
Sections 1–3, 10–15, 22–27, 34–36 of T77N, R3W (Lake Township).		
Sections 1–3, 10–15, 22–27, 34–36 of T76N, R3W (Seventy-six Township).		
T77N, R2W (Bloomington Township).		
T76N, R2W (Fruitland Township).		
All sections except 1, 12, 13, 24, 25, 36 of T77N, R1W (Sweetland Township).		
* * * *	* *	*

[1] Includes any Indian country in each county or area, unless otherwise specified. EPA is not determining the boundaries of any area of Indian country in this table, including any area of Indian country located in the larger designation area. The inclusion of any Indian country in the designation area is not a determination that the state has regulatory authority under the Clean Air Act for such Indian country.

[2] This date is April 9, 2018, unless otherwise noted.

[FR Doc. 2025–15983 Filed 8–20–25; 8:45 am]

BILLING CODE 6560–50–P

Notices

Federal Register
Vol. 90, No. 160
Thursday, August 21, 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

Rural Business-Cooperative Service

[Docket #: RBS–25–BUSINESS–0136]

Notice of Request for Extension of a Currently Approved Information Collection; Comments Requested

AGENCY: Rural Business-Cooperative Service, USDA.

ACTION: Proposed collection; request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, the United States Department of Agriculture's (USDA) The Rural Business Cooperative Service (RBCS) invites comments on this information collection for which the Agency intends to request approval from the Office of Management and Budget (OMB).

DATES: Comments on this notice must be received by October 20, 2025.

FOR FURTHER INFORMATION CONTACT: Lisa Day, Regulations Management Division, Innovation Center, U.S. Department of Agriculture; *lisa.day@usda.gov,* (971) 313–4750.

SUPPLEMENTARY INFORMATION: The Office of Management and Budget's (OMB) regulation (5 CFR part 1320) implementing provisions of the Paperwork Reduction Act of 1995 (Pub. L. 104–13) requires that interested members of the public and affected agencies have an opportunity to comment on information collection and recordkeeping activities (see 5 CFR 1320.8(d)). This notice identifies an information collection that RBCS is submitting to OMB as an extension to an existing collection. Comments are invited on: (a) 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; (b) the accuracy of the Agency's estimate of the burden of the proposed collection of information including the validity of the methodology and assumptions used; (c) ways to enhance the quality, utility and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology.

Comments may be sent by the Federal eRulemaking Portal: Go to *https://www.regulations.gov* and, in the ''Search'' box, type in the Docket No. RBS–25–BUSINESS–0136. A link to the Notice will appear. You may submit a comment here by selecting the ''Comment'' button or you can access the ''Docket'' tab, select the ''Notice,'' and go to the ''Browse & Comment on Documents'' Tab. Here you may view comments that have been submitted as well as submit a 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 through the site's ''FAQ'' link at the bottom. Comments on this information collection must be received by October 20, 2025.

Title: Food Supply Chain Guaranteed Loan Program.

OMB Control Number: 0570–0077.

Type of Request: Extension of a currently approved collection.

Abstract: The Rural Business Cooperative Service relies on the information provided by the borrowers in their financial statements to make lending decisions as to borrowers' credit worthiness and to ensure that loan funds are approved, advanced and disbursed for proper RE Act purposes. These financial statements are audited by a certified public accountant to provide independent assurance that the data being reported is properly measured and fairly presented.

Estimate of Burden: Public reporting burden for this collection of information is estimated to average 3 hours per response.

Respondents: Institutions of higher education, private entities, governmental entities, nonprofits, Indian Tribes, district organizations.

Estimated Number of Respondents: 311.

Estimated Number of Responses per Respondent: 1.38.

Estimated Number of Responses: 431.

Estimated Total Annual Burden on Respondents: $69,269.

All comments received will be available for public inspection during regular business hours at the same address. All responses to this notice will be summarized and included in the request for OMB approval. All comments will become a matter of public record.

Jeremy Claeys,

Administrator, Rural Business Cooperative Service.

[FR Doc. 2025–16020 Filed 8–20–25; 8:45 am]

BILLING CODE 3410–XY–P

DEPARTMENT OF AGRICULTURE

Rural Utilities Service

[Docket No. RUS–25–ELECTRIC–0168]

60-Day Notice of Proposed Information Collection: Seismic Safety of New Building Construction; OMB Control No.: 0572–0099

AGENCY: Rural Utilities Service (RUS), USDA.

ACTION: Notice; request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35, as amended), the United States Department of Agriculture (USDA) Rural Utilities Service (RUS) announces its' intention to request an extension of a currently approved information collection and invites comments on this information collection.

DATES: Comments on this notice must be received by October 20, 2025 to be assured of consideration.

ADDRESSES: Comments may be submitted by the Federal eRulemaking Portal: Go to *http://www.regulations.gov* and, in the ''Search Field'' box, labeled ''Search for Rules, Proposed Rules, Notices, or Supporting Documents,'' enter the following docket number: (RUS–25–ELECTRIC–0168). To submit or view public comments, click the ''Search'' button, select the ''Documents'' tab, then select the following document title: (Seismic Safety of New Building Construction) 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 *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.

FOR FURTHER INFORMATION CONTACT: Kimble Brown, Rural Development Innovation Center—Regulations Management Division, United States Department of Agriculture, 1400 Independence Avenue SW, South Building, Washington, DC 20250–1522. Email *Kimble.Brown@usda.gov.*

SUPPLEMENTARY INFORMATION: The Office of Management and Budget's (OMB) regulation (5 CFR part 1320) implementing provisions of the Paperwork Reduction Act of 1995 (Pub. L. 104–13) requires that interested members of the public and affected agencies have an opportunity to comment on information collection and recordkeeping activities (see 5 CFR 1320.8(d)). This notice identifies the following information collection that RUS is submitting to OMB as extension to an existing collection with Agency adjustment.

Title: 7 CFR Part 1792, Subpart C—Seismic Safety of New Building Construction.

OMB Control Number: 0572–0099.

Expiration Date of Approval: January 31, 2026.

Type of Request: Revision of a currently approved information collection.

Estimate of Burden: Public reporting for this collection of information is estimated to average 0.8 hours per response.

Respondents: Not-for-profit institutions and other businesses.

Estimated Number of Respondents: 10.

Estimated Annual Number of Responses: 10.

Estimated Number of Responses per Respondent: 1.

Estimated Total Annual Burden on Respondents: 8.

Abstract: The Earthquake Hazards Reduction Act of 1977 was enacted to reduce risks to life and property through the National Earthquake Hazards Reduction Program (NEHRP). The Federal Emergency Management Agency (FEMA) is designated as the agency with the primary responsibility to plan and coordinate the NEHRP. This program includes the development and implementation of feasible design and construction methods to make structures earthquake resistant.

Title 7 Part 1792, Subpart C, Seismic Safety of Federally assisted New Building Construction, identifies acceptable seismic standards which must be employed in new building construction funded by loans, grants, or guarantees made by RUS or the Rural Telephone Bank (RTB) or through lien accommodations or subordinations approved by RUS or RTB. This subpart implements and explains the provisions of the loan contract utilized by the RUS for both electric and telecommunications borrowers and by the RTB for its telecommunications borrowers requiring construction certifications affirming compliance with the standards.

Comments are invited on:

(a) Whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(b) the accuracy of the agency's estimate of the burden of the collection of information including the validity of the methodology and assumptions used;

(c) ways to enhance the quality, utility, and clarity of the information to be collected; and

(d) ways to minimize the burden of the collection of information on respondents, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology. All responses to this notice will be summarized and included in the request for OMB approval. All comments will become a matter of public record.

Copies of this information collection can be obtained from Kimble Brown, Rural Development Innovation Center—Regulations Management Division, at Email: *Kimble.Brown@usda.gov.*

All responses to this notice will be summarized and included in the request for OMB approval. All comments will also become a matter of public record.

Karl Elmshaeuser,

Administrator, Rural Utilities Service.

[FR Doc. 2025–16011 Filed 8–20–25; 8:45 am]

BILLING CODE 3410–15–P

DEPARTMENT OF COMMERCE

Census Bureau

Agency Information Collection Activities; Submission to the Office of Management and Budget (OMB) for Review and Approval; Comment Request; Annual Integrated Economic Survey

AGENCY: Census Bureau, Department of Commerce.

ACTION: Notice of information collection, request for comment.

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

DATES: To ensure consideration, comments regarding this proposed information collection must be received on or before October 20, 2025.

ADDRESSES: Interested persons are invited to submit written comments by email to *Thomas.J.Smith@census.gov* or *PRAcomments@doc.gov.* Please reference Annual Integrated Economic Survey (AIES) in the subject line of your comments. You may also submit comments, identified by Docket Number USBC–2025–0071, to the Federal e-Rulemaking Portal: *http://www.regulations.gov.* All comments received are part of the public record. No comments will be posted to *http://www.regulations.gov* for public viewing until after the comment period has closed. Comments will generally be posted without change. All Personally Identifiable Information (for example, name and address) voluntarily submitted by the commenter may be publicly accessible. Do not submit Confidential Business Information or otherwise sensitive or protected information. You may submit attachments to electronic comments in Microsoft Word, Excel, or Adobe PDF file formats.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or specific questions related to collection activities should be directed to Edward Watkins, AIES Assistant Survey Director, by phone at 301–763–4750 or

by email at *Edward.E.Watkins.III@census.gov.*

SUPPLEMENTARY INFORMATION:

I. Abstract

Since survey year 2023 (collected in calendar year 2024), the Census Bureau has conducted the AIES on an annual basis. The AIES was created to integrate seven annual business surveys into one comprehensive survey. It was designed to combine Census Bureau collections to reduce respondent burden and increase data quality. The collections that were integrated into the AIES were the Annual Retail Trade Survey (ARTS), Annual Wholesale Trade Survey (AWTS), Service Annual Survey (SAS), Annual Survey of Manufactures (ASM), Annual Capital Expenditures Survey (ACES), Manufacturers' Unfilled Orders Survey (M3UFO), and the Report of Organization.

The AIES provides the only comprehensive national and subnational data on business revenues and expenses on an annual basis. The AIES covers domestic, nonfarm employer businesses with operations during the survey year. Nonemployer businesses are not within the scope of the AIES. The AIES will collect the following information from employer businesses in the sample:

- *Business characteristics:* employment, operating status, organizational change, and ownership information.
- *Business classification:* business activity, type of operation, and tax status.
- *Revenue:* sales, shipments, and receipts; revenue by class of customer; taxes; contributions, gifts, and grants; products; and e-commerce activity.
- *Operating expenses:* purchased services, payroll, benefits, rental payments, utilities, interest, resales, equipment, materials and supplies, and other detailed operating expenses.
- Capital expenditures and inventories.
- Robotic equipment.

Additional topics of collection in the AIES include sources of revenue for providers (*e.g.,* hospitals and other businesses in the health industry) of select services such as inpatient days, outpatient visits to hospitals, patient visits for other selected health industries, revenue from telemedicine services, and expenses for electronic health records.

In survey year 2025 (which will be collected in calendar year 2026), the AIES will begin to use 2022 North American Industry Classification System (NAICS) codes in its sampling, collection, and dissemination operations. Prior to survey year 2025, the AIES employed 2017 NAICS codes.

Beginning with survey year 2025, the AIES will also implement a modular and subsampled content strategy to reduce respondent burden while still meeting data users' needs and preserving data quality. This replaces the more uniform content strategy previously employed by the AIES. Content will be structured into universal and subsampled modules. All companies will answer core questions, but more detailed topics (*e.g.,* capital expenditures, product line data, and specialized inventories) will be assigned to subsamples based on industry and priority.

Furthermore, starting with survey year 2025, the AIES will collect North American Product Classification System (NAPCS)-based data from retail, wholesale, and services businesses. This expansion standardizes product data collection across sectors of the economy, reduces the need for trade-specific revenue detail questions that had previously been asked in the AIES, and streamlines data collection by consolidating multiple revenue questions into a unified format.

In preparation for survey year 2025, the Census Bureau contacted stakeholders to identify items that could be removed from the AIES to reduce respondent burden. As a result of those conversations, the following items will be removed from the AIES:

- Depreciable asset questions.
- Select capital expenditure details (finance leases and software).
- Company-level questions (leased employees and research and development spending).
- Select revenue details (in select industries now covered by NAPCS, where product-level data replaces detailed revenue categories).

The AIES will begin to collect capital expenditures by type (structures and equipment) in survey year 2025. This will be collected once every five years to meet stakeholder needs. Additionally, a new sample will be selected for survey year 2025. The AIES may include a prior year revenue question to aid with sample linking during survey year 2025. However, a final decision has not been made yet regarding the inclusion of the prior year revenue question.

The content and sampling changes that will be implemented for survey year 2025 should lead to an overall reduction in respondent burden. If the number of respondents and/or burden estimate presented in this notice change when the new sample is selected, the Census Bureau will include the updated information in the clearance request, which will be submitted later this year.

Data users will be able to access the AIES estimates through visualizations; the Census Bureau's dissemination platform, *data.census.gov;* File Transfer Protocol (FTP) tables; Application Programming Interface (API); and the Federal Reserve Economic Data (FRED) database. Private businesses, organizations, industry analysts, educators and students, and economic researchers will use the estimates for analyzing and conducting impact evaluations on past and current economic performance, short-term economic forecasts, productivity, long-term economic growth, market analysis, tax policy, capacity utilization, business fixed capital stocks and capital formation, domestic and international competitiveness trade policy, product development, market research, and financial analysis. Trade and professional organizations will use the estimates to analyze industry trends and benchmark their own statistical programs, develop forecasts, and evaluate regulatory requirements. Government program officials and agencies will use the data for research, economic policymaking, and forecasting. Estimates produced from the AIES will serve as a benchmark for Census Bureau indicator programs, such as the Monthly Retail Trade Survey (MRTS); Manufacturers' Shipments, Inventories, and Orders (M3); Monthly Wholesale Trade Survey (MWTS); and Quarterly Services Survey (QSS). The Census Bureau will also continue to use information collected in the AIES to update and maintain the centralized, multipurpose Business Register that provides sampling populations and enumeration lists for the Census Bureau's economic surveys and censuses. The Bureau of Economic Analysis (BEA) will continue to use the estimates to derive industry output for the input-output accounts and for the gross domestic product (GDP). The Bureau of Labor Statistics (BLS) will continue to use the data as input to its Producer Price Index (PPI) and in developing productivity measurements. Additionally, the Federal Reserve Board (FRB) will continue to use the data to prepare the Index of Industrial Production, to improve estimates of investment indicators for monetary policy, and in monitoring retail credit lending. The Centers for Medicare and Medicaid Services (CMS) will continue to use the data to estimate expenditures for the National Health Accounts and for monitoring and evaluating

healthcare industries. The Department of the Treasury will continue to use the data to analyze depreciation and to research economic trends.

II. Method of Collection

The AIES will be collected via the internet using Centurion, the Census Bureau's secure online survey collection tool. In the rare situation where a respondent does not have access to the internet, the data may be collected by telephone. Respondents will receive an email and/or letter notifying them of their requirement to respond and how to access the survey. Responses will be due approximately 30 days from receipt of the notification. Select businesses will receive a due date reminder via a letter or email prior to the due date. After the due date, the Census Bureau will contact nonrespondents to remind them about the survey.

III. Data

OMB Control Number: 0607–1024.

Form Number(s): None.

Type of Review: Regular submission, Request for a Revision of a Currently Approved Collection.

Affected Public: Businesses, or other for-profit or non-profit institutions or organizations.

Estimated Number of Respondents: 305,340.

Estimated Time per Response: 2 hours and 34 minutes per company.

Estimated Total Annual Burden Hours: 784,950.

Estimated Total Annual Cost to Public: $0. (This is not the cost of respondents' time, but the indirect costs respondents may incur for such things as purchases of specialized software or hardware needed to report, or expenditures for accounting or records maintenance services required specifically by the collection.)

Respondent's Obligation: Mandatory.

Legal Authority: Title 13 U.S.C. 131 and 182.

IV. Request for Comments

We are soliciting public comments to permit the Department/Bureau to: (a) Evaluate whether the proposed information collection is necessary for the proper functions of the Department, including whether the information will have practical utility; (b) Evaluate the accuracy of our estimate of the time and cost burden for this proposed collection, including the validity of the methodology and assumptions used; (c) Evaluate ways to enhance the quality, utility, and clarity of the information to be collected; and (d) Minimize the reporting burden on those who are to respond, including the use of automated collection techniques or other forms of information technology.

Comments that you submit in response to this notice are a matter of public record. We will include, or summarize, each comment in our request to OMB to approve this ICR. Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you may ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Sheleen Dumas,

Departmental PRA Compliance Officer, Office of the Under Secretary for Economic Affairs, Commerce Department.

[FR Doc. 2025–16018 Filed 8–20–25; 8:45 am]

BILLING CODE 3510–07–P

DEPARTMENT OF COMMERCE

International Trade Administration

[Application No. 97–14A03]

Export Trade Certificate of Review

ACTION: Notice of issuance of an amended Export Trade Certificate of Review for the Association for the Administration of Rice Quotas, Inc., Application No. 97–14A03.

SUMMARY: The Secretary of Commerce, through the Office of Trade and Economic Analysis (OTEA), issued an amended Export Trade Certificate of Review to the Association for the Administration of Rice Quotas, Inc. on July 9, 2025.

FOR FURTHER INFORMATION CONTACT: Amanda Reynolds, Acting Director, OTEA, International Trade Administration, (202) 482–5131 (this is not a toll-free number) or email at *etca@trade.gov.*

SUPPLEMENTARY INFORMATION: Title III of the Export Trading Company Act of 1982 (15 U.S.C. 4011–21) (the Act) authorizes the Secretary of Commerce to issue Export Trade Certificates of Review. An Export Trade Certificate of Review protects the holder and the members identified in the Certificate from State and Federal government antitrust actions and from private treble damage antitrust actions for the export conduct specified in the Certificate and carried out in compliance with its terms and conditions. The regulations implementing Title III are found at 15 CFR part 325. OTEA is issuing this notice pursuant to 15 CFR 325.6(b), which requires the Secretary of Commerce to publish a summary of the certification in the **Federal Register**. Under Section 305(a) of the Act and 15 CFR 325.11(a), any person aggrieved by the Secretary's determination may, within 30 days of the date of this notice, bring an action in any appropriate district court of the United States to set aside the determination on the ground that the determination is erroneous.

Description of Certified Conduct

The Association for the Administration of Rice Quotas, Inc. amended its Certificate as follows:

1. Made the necessary technical changes to account for the withdrawal of the United Kingdom (UK) from the European Union (EU), including allocations of TRQ volumes for U.S. milled/semi-milled rice across the EU and the UK. The Certificate covers exports of U.S. milled/semi-milled rice to both the EU and UK under the relevant TRQs.

2. Removed the following companies as Members of the Certificate:

- Bunge Milling, Saint Louis, Missouri (a subsidiary of Bunge North America, White Plains, New York), dba PIRMI (Pacific International Rice Mills), Woodland, California
- Gulf Pacific Disc, Inc., Houston, Texas
- Nidera US LLC, Wilton, Connecticut (a subsidiary of Nidera BV (Netherlands))

3. Added an affiliate Member under an existing Member:

- Farmers' Rice Cooperative, Sacramento, California changes to Farmers' Rice Cooperative, Sacramento, California and its subsidiary Farmers' Rice Cooperative dba Pirmi (Pacific International Rice Mills), Woodland, California
- TRC Trading Corporation, Roseville, California (a subsidiary of TRC Group Inc., Roseville, California) and its subsidiary Gulf Rice Arkansas II, LLC, Crawfordsville, Arkansas changes to TRC Trading Corporation, Roseville, California (a subsidiary of nonmember TRC Group Inc., Roseville, California) and its subsidiaries Gulf Rice Arkansas II, LLC, Crawfordsville, Arkansas and Bulk Agricultural Commodities, LLC, Roseville, California

4. Changed the names of the following Members of the Certificate:

- ADM Latin, Inc., Decatur, Illinois, ADM Grain Company, Decatur, Illinois, and ADM Rice, Inc., Tarrytown, New York (subsidiaries of Archer Daniels Midland Company)

changes to ADM Latin, Inc., Decatur, Illinois, ADM Grain Company, Decatur, Illinois, and ADM Rice, Inc., White Plains, New York (subsidiaries of nonmember Archer Daniels Midland Company)
- American Commodity Company, LLC, Williams, California changes to American Commodity Company, LLC, Williams, California, managed by nonmember California Commodity Traders, Inc., Incline Village, Nevada
- Gulf Pacific Rice Co., Inc., Houston, Texas; Gulf Rice Milling, Inc., Houston, Texas; and Harvest Rice, Inc., McGehee, Arkansas (each a subsidiary of Gulf Pacific, Inc., Houston, Texas) changes to Gulf Pacific Rice Co., LLC, Houston, Texas; Gulf Rice Milling, LLC, Houston, Texas; and Harvest Rice, LLC, McGehee, Arkansas (each a subsidiary of nonmember Gulf Pacific, LLC, Houston, Texas)
- Louisiana Rice Mill, LLC, Mermentau, Louisiana changes to Supreme Rice, LLC, Mermentau, Louisiana

List of Members, as Amended

- ADM Latin, Inc., Decatur, Illinois, ADM Grain Company, Decatur, Illinois, and ADM Rice, Inc., White Plains, New York (subsidiaries of nonmember Archer Daniels Midland Company)
- American Commodity Company, LLC, Williams, California, managed by nonmember California Commodity Traders, Inc., Incline Village, Nevada
- Associated Rice Marketing Cooperative (ARMCO), Richvale, California
- Cargill Americas, Inc., and its subsidiary CAI Trading, LLC, Coral Gables, Florida
- Farmers' Rice Cooperative, Sacramento, California and its subsidiary Farmers' Rice Cooperative dba Pirmi (Pacific International Rice Mills), Woodland, California
- Farmers Rice Milling Company, Inc., Lake Charles, Louisiana
- Far West Rice, Inc., Durham, California
- Gulf Pacific Rice Co., LLC, Houston, Texas; Gulf Rice Milling, LLC, Houston, Texas; and Harvest Rice, LLC, McGehee, Arkansas (each a subsidiary of nonmember Gulf Pacific, LLC, Houston, Texas)
- Interra International, LLC, Chapel Hill, North Carolina
- Itochu International Inc., Portland, Oregon (a subsidiary of nonmember ltochu Corporation (Japan))
- JFC International Inc., Los Angeles, California (a subsidiary of nonmember Kikkoman Corp.)
- JIT Products, Inc., Davis, California
- Kennedy Rice Dryers, L.L.C., Mer Rouge, Louisiana
- Kitoku America, Inc., Burlingame, California (a subsidiary of nonmember Kitoku Shinryo Co., Ltd. (Japan))
- LD Commodities Rice Merchandising LLC, Wilton, Connecticut, and LD Commodities Interior Rice Merchandising LLC, Kansas City, Missouri (subsidiaries of nonmember Louis Dreyfus Commodities LLC, Wilton, Connecticut)
- Nishimoto Trading Co., Ltd., dba Wismettac Asian Foods, Santa Fe Springs, California (a subsidiary of nonmember Nishimoto Trading Company, Ltd. (Japan))
- Producers Rice Mill, Inc., Stuttgart, Arkansas
- Riceland Foods, Inc., Stuttgart, Arkansas
- Riviana Foods Inc., Houston, Texas (a subsidiary of nonmember Ebro Foods, S.A. (Spain)), for the activities of itself and its subsidiary, American Rice, Inc., Houston, Texas
- Sinamco Trading Inc., Minneapolis, Minnesota
- SunFoods LLC, Woodland, California
- SunWest Foods, Inc., Davis, California
- Supreme Rice, LLC, Mermentau, Louisiana
- The Sun Valley Rice Co., LLC, Arbuckle, California
- TRC Trading Corporation, Roseville, California (a subsidiary of nonmember TRC Group, Inc., Roseville, California) and its subsidiaries, Gulf Rice Arkansas II, LLC, Crawfordsville, Arkansas and Bulk Agricultural Commodities, LLC, Roseville, California
- Trujillo & Sons, Inc., Miami, Florida
- Veetee Foods, Inc., Islandia, New York (a subsidiary of nonmember Veetee Investments Corporation (Bahamas))
- Wehah Farm, Inc., dba Lundberg Family Farms, Richvale, California

The effective date of the amended certificate is April 10, 2025, the date on which AARQ'S application to amend was deemed submitted.

Dated: August 19, 2025.

Isabella Gabriele,

International Economist, Office of Trade and Economic Analysis, International Trade Administration, U.S. Department of Commerce.

[FR Doc. 2025–16026 Filed 8–20–25; 8:45 am]

BILLING CODE 3510–DR–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–588–883]

Lattice Boom Crawler Cranes From Japan: Postponement of Preliminary Determination in the Less-Than-Fair-Value Investigation

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

DATES: Applicable August 21, 2025.

FOR FURTHER INFORMATION CONTACT: Dmitry Vladimirov or Thomas Schauer, AD/CVD Operations, Office I, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–0665 or (202) 482–0410, respectively.

SUPPLEMENTARY INFORMATION:

Background

On April 30, 2025, the U.S. Department of Commerce (Commerce) initiated a less-than-fair-value (LTFV) investigation of imports of lattice boom crawler cranes from Japan.[1] Currently, the preliminary determination is due no later than September 17, 2025.

Postponement of Preliminary Determination

Section 733(b)(1)(A) of the Tariff Act of 1930, as amended (the Act), requires Commerce to issue the preliminary determination in an LTFV investigation within 140 days after the date on which Commerce initiated the investigation. However, section 733(c)(1) of the Act permits Commerce to postpone the preliminary determination until no later than 190 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.

[1] *See Lattice Boom Crawler Cranes from Japan: Initiation of Less-Than-Fair-Value Investigation,* 90 FR 19270 (May 7, 2025).

On August 14, 2025, the petitioner [2] submitted a timely request that Commerce postpone the preliminary determination in this LTFV investigation.[3] The petitioner stated that it requested postponement to ''allow Petitioner adequate time to analyze and comment on responses and will allow Commerce adequate time to issue supplemental questionnaires and develop a comprehensive record in this investigation that Petitioner can then comment upon in advance of Commerce issuing a preliminary determination'' [4] and to ''provide Commerce with the necessary time to analyze Petitioner's recently submitted sales- and cost-based particular market situation ('PMS') allegations in advance of its preliminary determination.'' [5]

For the reasons stated above and because there are no compelling reasons to deny the request, Commerce, in accordance with section 733(c)(1)(A) of the Act, is postponing the deadline for the preliminary determination in this LTFV investigation by 50 days, *i.e.,* 190 days after the date on which this investigation was initiated. As a result, Commerce will issue its preliminary determination no later than November 6, 2025. In accordance with section 735(a)(1) of the Act and 19 CFR 351.210(b)(1), the deadline for the final determination of this investigation will continue to be 75 days after the date of the preliminary determination, unless postponed at a later date.

Notification to Interested Parties

This notice is issued and published pursuant to section 733(c)(2) of the Act and 19 CFR 351.205(f)(1).

Dated: August 18, 2025.

Abdelali Elouaradia,

Deputy Assistant Secretaryfor Enforcement and Compliance.

[FR Doc. 2025–16044 Filed 8–20–25; 8:45 am]

BILLING CODE 3510–DS–P

[2] The petitioner is The Manitowoc Company, Inc.

[3] *See* Petitioner's Letter, ''Petitioner's Request to Postpone Commerce's Preliminary Determination,'' dated August 14, 2025.

[4] *Id.*

[5] *Id.*

DEPARTMENT OF COMMERCE

International Trade Administration

[C–570–210]

Fiberglass Door Panels From the People's Republic of China: Preliminary Affirmative Countervailing Duty Determination and Alignment of Final Determination With Final Antidumping Duty Determination

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

SUMMARY: The U.S. Department of Commerce (Commerce) preliminarily determines that countervailable subsidies are being provided to producers and exporters of fiberglass door panels from the People's Republic of China (China). The period of investigation is January 1, 2024, through December 31, 2024. Interested parties are invited to comment on this preliminary determination.

DATES: Applicable August 21, 2025.

FOR FURTHER INFORMATION CONTACT: Samuel Brummitt or T.J. Worthington, AD/CVD Operations, Office III, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–7851 or (202) 482–4567, respectively.

SUPPLEMENTARY INFORMATION:

Background

This preliminary determination is made in accordance with section 703(b) of the Tariff Act of 1930, as amended (the Act). Commerce published the notice of initiation of this investigation on April 15, 2025.[1] On May 29, 2025, Commerce postponed the preliminary determination of this investigation and the revised deadline is now August 18, 2025.[2] For a complete description of the events that followed the initiation of this investigation, *see* the Preliminary Decision Memorandum.[3] A list of topics discussed in the Preliminary Decision Memorandum is included as Appendix II to this notice. The Preliminary Decision Memorandum is a public document and is on file electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at *https://access.trade.gov.* In addition, a complete version of the Preliminary Decision Memorandum can be accessed directly at *https://access.trade.gov/public/FRNoticesListLayout.aspx.*

[1] *See Fiberglass Door Panels from the People's Republic of China: Initiation of Countervailing Duty Investigation,* 90 FR 15692 (April 15, 2025) (*Initiation Notice*).

[2] *See Fiberglass Door Panels from the People's Republic of China: Postponement of Preliminary Determination in the Duty Investigation,* 90 FR 22704 (May 29, 2025).

[3] *See* Memorandum, ''Decision Memorandum for the Preliminary Affirmative Determination of the Countervailing Duty Investigation of Fiberglass Door Panels from the People's Republic of China,'' dated concurrently with, and hereby adopted by, this notice (Preliminary Decision Memorandum).

Scope of the Investigation

The product covered by this investigation is fiberglass door panels from China. For a complete description of the scope of this investigation, *see* Appendix I.

Scope Comments

In accordance with the *Preamble* to Commerce's regulations,[4] the *Initiation Notice* set aside a period of time for parties to raise issues regarding product coverage, (*i.e.,* scope).[5] Certain interested parties commented on the scope of the investigation as it appeared in the *Initiation Notice.* Commerce intends to issue its preliminary decision regarding comments concerning the scope of the less-than-fair-value (LTFV) and countervailing duty (CVD) investigations in the preliminary determination of the companion LTFV investigation. We will incorporate the scope decision from the LTFV investigation into the scope of the final CVD determination for this investigation after considering any relevant comments submitted in scope case and rebuttal briefs.[6]

Methodology

Commerce is conducting this investigation in accordance with section 701 of the Act. For each of the subsidy programs found countervailable, Commerce preliminarily determines that there is a subsidy, *i.e.,* a financial contribution by an ''authority'' that gives rise to a benefit to the recipient, and that the subsidy is specific.[7] For a full description of the methodology underlying our preliminary determination, *see* the Preliminary Decision Memorandum.

Commerce notes that, in making these findings, it relied, in part, on facts

[4] *See Antidumping Duties; Countervailing Duties, Final Rule,* 62 FR 27296, 27323 (May 19, 1997).

[5] *See Initiation Notice,* 90 FR at 15693.

[6] The deadline for interested parties to submit scope case and rebuttal briefs will be established in the preliminary scope decision memorandum accompanying preliminary determination of the LTFV investigation.

[7] *See* sections 771(5)(B) and (D) of the Act regarding financial contribution; section 771(5)(E) of the Act regarding benefit; and section 771(5A) of the Act regarding specificity.

available and, because it finds that certain respondents did not act to the best of their ability to respond to Commerce's requests for information, it drew an adverse inference, where appropriate, in selecting from among the facts otherwise available.[8] For further information, *see* the ''Use of Facts Otherwise Available and Adverse Inferences'' section in the Preliminary Decision Memorandum.

Alignment

As noted in the Preliminary Decision Memorandum, in accordance with section 705(a)(1) of the Act and 19 CFR 351.210(b)(4), Commerce is aligning the final CVD determination in this investigation with the final determination in the companion LTFV investigation of fiberglass door panels from China based on a request made by the petitioner.[9] Consequently, the final CVD determination will be issued on the same date as the final LTFV determination, which is currently scheduled to be issued no later than December 30, 2025, unless postponed.

All-Others Rate

Sections 703(d) and 705(c)(5)(A) of the Act provide that in the preliminary determination, Commerce shall determine an estimated all-others rate for companies not individually examined. This rate shall be an amount equal to the weighted average of the estimated subsidy rates established for those companies individually examined, excluding any zero and *de minimis* rates and any rates based entirely under section 776 of the Act. Pursuant to section 705(c)(5)(A)(ii) of the Act, if the individual estimated countervailable subsidy rates established for all exporters and producers individually examined are zero, *de minimis,* or determined based entirely on facts otherwise available, Commerce may use any reasonable method to establish the estimated subsidy rate for all other producers or exporters. In this investigation, Commerce calculated individual estimated countervailable subsidy rates for Dalian Capstone Engineering Co., Ltd. (Dalian Capstone) and Jiangxi Fangda Tech Co., Ltd. (Jiangxi Fangda) that are not zero, *de minimis,* or based entirely on facts otherwise available. Commerce calculated the all-others rate using a weighted average of the individual estimated subsidy rates calculated for the examined respondents using each company's publicly-ranged values for the merchandise under consideration.[10]

Rate for Non-Responsive Companies

Six exporters and/or producers of fiberglass door panels from China failed to provide responses to Commerce's quantity and value questionnaire. We find that, by not responding to Commerce's requests for information, each of these companies withheld requested information and significantly impeded this proceeding. Thus, in reaching our preliminary determination, pursuant to sections 776(a)(2)(A) and (C) of the Act, we are basing the subsidy rate for the non-responsive companies on facts otherwise available.[11]

We further preliminarily determine that an adverse inference is warranted, pursuant to section 776(b) of the Act. By failing to submit responses to Commerce's questionnaires, the non-responsive companies did not cooperate to the best of their ability in this investigation. Accordingly, we preliminarily find that an adverse inference is warranted to ensure that the non-responsive companies will not obtain a more favorable result than had they fully complied with our requests for information. For more information on the application of adverse facts available to the non-responsive companies, *see* the ''Use of Facts Otherwise Available and Adverse Inferences'' section in the Preliminary Determination Memorandum.

Preliminary Determination

Commerce preliminarily determines that the following estimated countervailable subsidy rates exist:

Company	Subsidy rate (percent *ad valorem*)
Dalian Capstone Engineering Co., Ltd.[12]	71.37
Jiangxi Fangda Tech Co., Ltd.[13]	59.17
Kits Glass (China) Limited	* 921.42
Hebei Charlotte Enterprise Co., Ltd	* 921.42
Lily Industries Co., Ltd	* 921.42
Shanghai Unikey International Trading Co., Ltd	* 921.42
Zhejiang Kuchuan Door Co., Ltd	* 921.42
Zhenshi Group Huamei New Materials Co Ltd	* 921.42
All Others	62.55

* Rate is based on facts available with adverse inferences.

[8] *See* sections 776(a) and (b) of the Act.

[9] *See* Petitioner's Letter, ''Request to Align Countervailing Duty Investigation Final Determination with Antidumping Duty Investigation Final Determination,'' dated August 13, 2025.

[10] With two respondents under examination, Commerce normally calculates: (A) a weighted-average of the estimated subsidy rates calculated for the examined respondents; (B) a simple average of the estimated subsidy rates calculated for the examined respondents; and (C) a weighted-average of the estimated subsidy rates calculated for the examined respondents using each company's publicly-ranged U.S. sale values for the merchandise under consideration. Commerce then compares (B) and (C) to (A) and selects the rate closest to (A) as the most appropriate rate for all other producers and exporters. *See, e.g., Ball Bearings and Parts Thereof from France, Germany, Italy, Japan, and the United Kingdom: Final Results of Antidumping Duty Administrative Reviews, Final Results of Changed-Circumstances Review, and Revocation of an Order in Part,* 75 FR 53661, 53662 (September 1, 2010), and accompanying Issues and Decision Memorandum at Comment 1. As complete, publicly-ranged sales data were available, Commerce based the all-others rate on the publicly-ranged sales data of the mandatory respondents. For a complete analysis of the data, *see* the All-Others Rate Calculation Memorandum.

[11] These companies are: (1) Kits Glass (China) Limited; (2) Hebei Charlotte Enterprise Co., Ltd.; (3) Lily Industries Co., Ltd.; (4) Shanghai Unikey International Trading Co., Ltd.; (5) Zhejiang Kuchuan Door Co., Ltd; and (6) Zhenshi Group Huamei New Materials Co Ltd.

[12] As discussed in the Preliminary Decision Memorandum, Commerce has found the following company to be cross-owned with Dalian Capstone: Qinhuangdao Entrylite Co., Ltd.

[13] As discussed in the Preliminary Decision Memorandum, Commerce has found the following companies to be cross-owned with Jiangxi Fangda: Jiangxi Hangda Tech Co., Ltd.; Jiangxi Onda Tech Co., Ltd.; and one affiliate whose name is business proprietary. *See* the Jiangxi Fangda proprietary preliminary calculation memorandum.

Suspension of Liquidation

In accordance with section 703(d)(1)(B) and (d)(2) of the Act, Commerce will direct U.S. Customs and Border Protection (CBP) to suspend liquidation of entries of fiberglass door panels, as described in the scope of the investigation section, entered, or withdrawn from warehouse, for consumption on or after the date of publication of this notice in the **Federal Register**. Further, pursuant to 19 CFR 351.205(d), Commerce will instruct CBP to require a cash deposit equal to the rates indicated above.

Disclosure

Commerce intends to disclose its calculations and analysis performed to interested parties in this preliminary determination within five days of its public announcement, or if there is no public announcement, within five days of the date of this notice in accordance with 19 CFR 351.224(b).

Consistent with 19 CFR 351.224(e), Commerce will analyze and, if appropriate, correct any timely allegations of significant ministerial errors by amending the preliminary determination. However, consistent with 19 CFR 351.224(d), Commerce will not consider incomplete allegations that do not address the significance standard under 19 CFR 351.224(g) following the preliminary determination. Instead, Commerce will address such allegations in the final determination together with issues raised in the case briefs or other written comments.

Verification

As provided in section 782(i)(1) of the Act, Commerce intends to verify the information relied upon in making its final determination.

Public Comment

All interested parties will have the opportunity to submit scope case and rebuttal briefs on the preliminary decision regarding the scope of the LTFV and CVD investigations. The deadlines to submit scope case and rebuttal briefs will be provided in the preliminary scope decision memorandum accompanying the preliminary determination of the LTFV investigation. For all scope case and rebuttal briefs, parties must file identical documents simultaneously on the records of the ongoing LTFV and CVD investigations. No new factual information or business proprietary information may be included in either scope case or rebuttal briefs.

Case briefs or other written comments may be submitted to the Assistant Secretary for Enforcement and Compliance no later than seven days after the date on which the last verification report is issued in this investigation. Rebuttal briefs, limited to issues raised in the case briefs, may be filed not later than five days after the date for filing case briefs.[14] Interested parties who submit case or rebuttal briefs in this proceeding must submit: (1) a table of contents listing each issue; and (2) a table of authorities.[15]

As provided under 19 CFR 351.309(c)(2) and (d)(2), in prior proceedings we have encouraged interested parties to provide an executive summary of their brief that should be limited to five pages total, including footnotes. In this investigation, we instead request that interested parties provide at the beginning of their briefs a public, executive summary for each issue raised in their briefs.[16] Further, we request that interested parties limit their executive summary of each issue to no more than 450 words, not including citations. We intend to use the executive summaries as the basis of the comment summaries included in the issues and decision memorandum that will accompany the final determination in this investigation. We request that interested parties include footnotes for relevant citations in the executive summary of each issue. Note that Commerce has amended certain of its requirements pertaining to the service of documents in 19 CFR 351.303(f).[17]

Pursuant to 19 CFR 351.310(c), interested parties who wish to request a hearing, limited to issues raised in the case and rebuttal briefs, must submit a written request to the Assistant Secretary for Enforcement and Compliance, U.S. Department of Commerce within 30 days after the date of publication of this notice. Requests should contain: (1) the party's name, address, and telephone number; (2) the number of participants and whether any participant is a foreign national; and (3) a list of the issues to be discussed. If a request for a hearing is made, Commerce intends to hold the hearing at a time and date to be determined. Parties should confirm by telephone the date, time, and location of the hearing two days before the scheduled date.

[14] *See* 19 CFR 351.309(d); *see also Administrative Protective Order, Service, and Other Procedures in Antidumping and Countervailing Duty Proceedings,* 88 FR 67069, 67077 (September 29, 2023) (*APO and Service Final Rule*).

[15] *See* 19 351.309(c)(2) and (d)(2).

[16] We use the term ''issue'' here to describe an argument that Commerce would normally address in a comment of the Issues and Decision Memorandum.

[17] *See APO and Service Final Rule.*

U.S. International Trade Commission (ITC) Notification

In accordance with section 703(f) of the Act, Commerce will notify the ITC of its determination. If the final determination is affirmative, the ITC will determine before the later of 120 days after the date of this preliminary determination or 45 days after the final determination whether imports of fiberglass door panels from China are materially injuring, or threaten material injury to, the U.S. industry.

Notification to Interested Parties

This determination is issued and published pursuant to sections 703(f) and 777(i) of the Act, and 19 CFR 351.205(c).

Dated: August 18, 2025.

Abdelali Elouaradia,

Deputy Assistant Secretary for Enforcement and Compliance.

Appendix I

Scope of the Investigation

The merchandise covered by this investigation consists of fiberglass door panels, including fiberglass sidelites, whether finished or unfinished, whether assembled or unassembled, whether pre-hung or included in an entry door system. The subject fiberglass door panels consist of at least one fiberglass skin, frames typically made of wood or composite stiles, bottom rails, and top rails, binding materials, including adhesives or fasteners, insulation foam, and may be assembled with glass lites (glass that is ultimately installed in the fiberglass door panel). Fiberglass sidelites (or ''sidelights'') are typically smaller in width than fiberglass door panels, and consist of at least one fiberglass skin, frames typically made of wood or composite stiles, bottom rails, and top rails, binding materials, including adhesives or fasteners, insulation foam, and may be assembled with glass lites (glass that is ultimately installed in the fiberglass sidelite). Subject merchandise includes fiberglass door panels and sidelites whether the fiberglass skin surface is painted or unpainted, contains or does not contain cut-outs for door components, or assembled or unassembled with glass lites in the door.

Fiberglass door panels and sidelites are covered by the investigation whether they are imported attached to, or in conjunction with door components and accessories (including but not limited to door jambs, door handles, locks, hinges, door stoppers, door kicks, door thresholds, door sills, and trim), in a pre-hung door system, or an entry door system. Subject fiberglass door panels and sidelites are covered whether or not they are accompanied by other parts. However, if a subject fiberglass door panel or sidelite is imported in a pre-hung door system or entry door system, only the fiberglass door panel and sidelite, including when assembled with glass lites or when the glass lites are shipped with the subject merchandise for further assembly, are covered by the scope. Door

components and accessories (including but not limited to transoms, door jambs, door handles, locks, hinges, door stoppers, door kicks, door thresholds, door sills, and trim) are not included in the scope when imported with a fiberglass door panel or sidelite, including when such components or accessories are assembled to a fiberglass door panel or sidelite, or when imported separately. Subject merchandise may be impact-rated to withstand hurricane force wind loads and may be reinforced with steel sheet or plate. Impact-rated doors may be certified to Testing Application Standards (TAS) 201/202/203–94/and American Society for Testing and Materials (ASTM) E330–02/14/M–14, E1886–05/13a/, or E1996–09/14a.

Subject merchandise may be fire-rated for up to 90 minutes and may contain flame retardant composites, including, but not limited to flame retardant foam or mineral core materials, including but not limited to low density calcium silicate. Fire-rated doors generally satisfy the National Fire Protection Association (NFPA) 252 Standard Methods of Fire Tests of Door Assemblies and UL10(b) and (c)-Standard for Safety-Fire Tests of Door Assemblies.

Subject merchandise also includes fiberglass door panels and sidelites that have been processed in a third country, including but not limited to one or more of the following: filling with insulation foam, trimming, cutting, notching, punching, drilling, painting, finishing, assembly, or any other processing that would not otherwise remove the merchandise from the scope of the investigation if performed in the country of manufacture of the in-scope product. The inclusion of other parts, such as door components and accessories (including but not limited to door jambs, door handles, locks, hinges, door stoppers, door kicks, door thresholds, door sills, and trim) in a third country does not remove the fiberglass door panels and sidelites from the scope.

Excluded from the scope of this investigation are all products covered by the scope of the antidumping duty and countervailing duty orders on wood mouldings and millwork products from the People's Republic of China. *See Wood Mouldings and Millwork Products from the People's Republic of China: Amended Final Antidumping Duty Determination and Antidumping Duty Order,* 86 FR 9486 (February 16, 2021); and *Wood Mouldings and Millwork Products from the People's Republic of China: Countervailing Duty Order,* 86 FR 9484 (February 16, 2021).

Excluded from the scope of this investigation are all products covered by the scope of the antidumping duty and countervailing duty proceedings on float glass products from China. *See Float Glass Products from the People's Republic of China and Malaysia: Initiation of Less-Than-Fair-Value Investigations,* 90 FR 1435 (January 8, 2025); and *Float Glass Products from the People's Republic of China and Malaysia: Initiation of Countervailing Duty Investigations,* 90 FR 1443 (January 8, 2025).

Imports of subject merchandise are classified under Harmonized Tariff Schedule of the United States (HTSUS) statistical number 3925.20.0010. Subject merchandise may also be classified under 4418.29.4000, 4418.29.8030, 4418.29.8060, or 7019.90.5150. The HTSUS subheadings are provided for convenience and customs purposes; the written description of the scope of this investigation is dispositive.

Appendix II

List of Topics Discussed in the Preliminary Decision Memorandum

I. Summary
II. Background
III. Scope Comments
IV. Injury Test
V. Analysis of China's Financial System
VI. Diversification of China's Economy
VII. Use of Facts Otherwise Available and Adverse Inferences
VIII. Subsidies Valuation
IX. Benchmarks and Interest Rates
X. Analysis of Programs
XI. Calculation of the All-Others Rate
XII. Recommendation

[FR Doc. 2025–16043 Filed 8–20–25; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648–XF069]

Western Pacific Fishery Management Council; Public Meetings

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

ACTION: Notice of public meetings.

SUMMARY: The Western Pacific Fishery Management Council (Council) will hold its 157th Scientific and Statistical Committee (SSC), Executive and Budget Standing Committee (SC), and its 204th Council meeting to take actions on fishery management issues in the Western Pacific Region.

DATES: The meetings will be held between September 9 and September 17, 2025. For specific times and agendas, see **SUPPLEMENTARY INFORMATION.** Written public comments on final action items at the 204th Council meeting should be received at the Council office by 5 p.m. HST, Thursday, September 11, 2025, see **ADDRESSES**.

ADDRESSES: The 157th SSC, Executive and Budget SC, and 204th Council meetings will be held as a hybrid meeting for members and the public, with a remote participation option available via Webex. The Executive and Budget SC will be held as an in-person meeting. In-person attendance for the 157th SSC and Executive and Budget SC meetings will be hosted at the Council office, 1164 Bishop Street, Suite 1400, Honolulu, HI 96813. In-person attendance for the 204th Council meeting will be hosted at the Ala Moana Hotel, Garden Lanai, 410 Atkinson Drive, Honolulu, HI 96814.

Specific information on joining the meeting, connecting to the web conference and providing oral public comments will be posted on the Council website at *www.wpcouncil.org.* For assistance with the web conference connection, contact the Council office at (808) 522–8220.

Council address: Western Pacific Fishery Management Council, 1164 Bishop Street, Suite 1400, Honolulu, HI 96813.

Background documents for the 204th Council meeting will be available at *www.wpcouncil.org.* Written public comments on final action items at the 204th Council meeting should be received at the Council office by 5 p.m. HST, Thursday, September 11, 2025, and should be sent to Kitty M. Simonds, Executive Director; Western Pacific Fishery Management Council, 1164 Bishop Street, Suite 1400, Honolulu, HI 96813, phone: (808) 522–8220 or fax: (808) 522–8226; or email: *info@wpcouncil.org.* Written public comments on all other agenda items may be submitted for the record by email throughout the duration of the meeting. Instructions for providing oral public comments during the meeting will be posted on the Council website.

FOR FURTHER INFORMATION CONTACT: Kitty M. Simonds, Executive Director, Western Pacific Fishery Management Council; phone: (808) 522–8220.

SUPPLEMENTARY INFORMATION: The 157th SSC meeting will be held between 9 a.m. and 5 p.m. Hawaii Standard Time (HST) on September 9–10, 2025, and between 9 a.m. and 12 p.m. HST on September 11, 2025. The Executive and Budget SC meeting will be held between 1 p.m. and 4 p.m. HST on September 15, 2025. The 204th Council meeting will be held between 8:30 a.m. and 5 p.m. HST on September 16–17, 2025. Public Comment on Non-Agenda Items will be held between 4:30 p.m. and 5 p.m. HST on September 16, 2025.

Agenda items noted as ''Final Action'' refer to actions that may result in Council transmittal of a proposed fishery management plan, proposed plan amendment, or proposed regulations to the U.S. Secretary of Commerce, under Sections 304 or 305 of the Magnuson-Stevens Fishery Conservation and Management Act (MSA). In addition to the agenda items listed here, the Council and its advisory bodies will hear recommendations from Council advisors. An opportunity to

submit public comment will be provided throughout the agendas. The order in which agenda items are addressed may change and will be announced in advance at the Council meeting. The meetings will run as late as necessary to complete scheduled business.

This meeting will be recorded (audio only) for the purposes of generating the minutes of the meeting. As public comments will be made publicly available, participants and public commenters are urged not to provide personally identifiable information (PII) at this meeting. Participation in the meeting by web conference, or by telephone, constitutes consent to the audio recording.

Agenda for the 157th SSC Meeting

Tuesday, September 9, 2025, 9 a.m. to 5 p.m. HST

1. Introductions
2. Approval of Draft Agenda and Assignment of Rapporteurs
3. Status of the 156th SSC Meeting Recommendations
4. NMFS Science Updates
   - A. Pacific Islands Fisheries Science Center Director Report
   - B. Technical Review of the Fisheries Integrated Modeling System Stock Assessment Model
5. Program Planning and Research
   - A. SSC Special Projects Working Group Reports
   - A.1. Integration of Biological, Economic, Social, and Cultural Considerations
   - A.2. Integration of Climate Information Into Decision Making
   - A.3. Bottomfish Management Unit Species (BMUS) Multispecies Complex
   - A.1. Review and Update of the SSC Special Projects List
   - B. Overview of Machine Learning and Artificial Intelligence Tools
   - C. Social, Economic, Ecological, and Management Uncertainty (SEEM) Process Review Report
   - D. Council Inflation Reduction Act (IRA) Project Updates
   - D.1. Scenario Planning
   - D.2. Protected Species Workshops
   - D.3. Regulatory Review and Community Engagement
   - E. Status of Shark Depredation Research
   - F. Review and Update of Research Priorities
   - G. Public Comment
   - H. SSC Discussion and Recommendations

Wednesday, September 10, 2025, 9 a.m. to 5 p.m. HST

6. Pelagic & International Fisheries
   - A. Deep-Sea Mining
   - A.1. State of Knowledge on Deep-Sea Mining Impacts
   - A.2. Impossible Metals Eureka
   - B. Design- and Model-Based Approaches for Shark Bycatch Estimation
   - C. Multi-Species Impact Considerations for the Southern Exclusion Zone Closures
   - D. Western and Central Pacific Fisheries Commission (WCPFC) Science Committee
   - D.1. Science Committee Report
   - D.2. Oceanic Whitetip Shark Stock Assessment
   - E. Inter-American Tropical Tuna Commission (IATTC) Science Committee Report
   - F. Public Comment
   - G. SSC Discussion and Recommendations
7. Island Fisheries
   - A. Setting Acceptable Biological Catch for the Commonwealth of the Northern Mariana Islands (CNMI) Bottomfish Fishery (Action Item)
   - B. Public Comment
   - C. SSC Discussion and Recommendations

Thursday, September 11, 2025, 9 a.m. to 12 p.m. HST

8. Other Business
   - A. SSC Meeting Schedule and Potential Working Groups
9. Summary of SSC Recommendations to the Council

Agenda for the Executive and Budget SC Meeting

Monday, September 15, 2025, 1 p.m. to 4 p.m. HST

1. Introduction and Approval of Agenda
2. Financial Reports
3. Administrative Reports
4. Council Family Changes
5. Meetings and Workshops
6. Other Business
7. Public Comment
8. Discussion and Recommendations

Agenda for the 204th Council Meeting

Tuesday, September 16, 2025, 8:30 a.m. to 5 p.m. HST

1. Welcome and Introductions
2. Oath of Office
3. Approval of the 204th CM Agenda
4. Approval of the 203rd CM Meeting Minutes
5. Executive Director's Report
6. Agency Reports
   - A. National Marine Fisheries Service
   - A.1. Pacific Islands Regional Office
   - A.2. Pacific Islands Fisheries Science Center
   - B. NOAA Office of General Counsel Pacific Islands Section
   - C. US Coast Guard
   - D. Enforcement
   - D.1. NOAA Office of Law Enforcement
   - D.2. NOAA Office of General Counsel Enforcement Section
   - E. US State Department
   - F. US Fish and Wildlife Service
   - G. Public Comment
   - H. Council Discussion and Action
7. Hawaii Archipelago and Pacific Remote Island Area (PRIA)
   - A. Moku Pepa
   - B. Division of Aquatic Resources Report
   - C. Pacific States Marine Fisheries Commission
   - D. Small Boat Fisheries Issues (Shortline, Sharks)
   - E. Advisory Group Report and Recommendations
   - E.1. Advisory Panel
   - E.2. Fishing Industry Advisory Committee
   - E.3. Scientific and Statistical Committee
   - F. Public Comment
   - G. Council Discussion and Action
8. Program Planning and Research
   - A. Legislative Report
   - B. Aligning Science and Management Priorities
   - C. Report on the Seafood Executive Order Updated Recommendations
   - D. Recommendations for Commercial Fishing in the Pacific Island Heritage Marine National Monument Expansion Area (Initial Action)
   - E. Report on IRA Program Projects
   - E.1. Scenario Planning
   - E.2. Regulatory Review
   - E.3. Protected Species
   - E.4. Community Engagement/Capacity Building
   - F. Council Education and Outreach Report
   - G. Advisory Group Report and Recommendations
   - G.1. Advisory Panel
   - G.2. Fishing Industry Advisory Committee
   - G.3. Fishery Data Collection and Research Committee
   - G.4. Scientific and Statistical Committee
   - H. Public Comment
   - I. Council Discussion and Action
9. Mariana Archipelago
   - A. Guam
   - A.1. Isla Informe
   - A.2. Department of Agriculture/Division of Aquatic and Wildlife Resources Report
   - B. CNMI
   - B.1. Arongol Falú
   - B.2. Department of Lands and Natural Resources/Division of Fish and Wildlife Report

B.3. CNMI BMUS Annual Catch Limit Specification (Initial Action)
C. Advisory Group Report and Recommendations
C.1. Marianas Advisory Panel
C.2. Fishing Industry Advisory Committee
C.3. Scientific and Statistical Committee
D. Public Comment
E. Council Discussion and Action

Tuesday, September 16, 2025, 4:30 p.m. to 5 p.m. HST

Public Comment on Non-Agenda Items

Wednesday, September 17, 2025, 8:30 a.m. to 5 p.m. HST

10. Pelagics and International
A. Status of Electronic Monitoring Implementation and Development of the Vessel Monitoring Plan
B. International Fisheries
B.1. WCPFC Scientific Committee Report
B.2. WCPFC Technical Compliance Committee Report
B.3. American Samoa WCPFC Fishery Issues
B.4. IATTC Report
C. Update on the Seafood Import Monitoring Program (SIMP)
D. Marine Mammal Protection Act Imports Provision Implementation Update on Comparability Findings
E. Advisory Group Report and Recommendations
E.1. Advisory Panels
E.2. Fishing Industry Advisory Committee
E.3. Scientific & Statistical Committee
F. Public Comment
G. Council Discussion and Action
11. American Samoa Archipelago
A. Motu Lipoti
B. Department of Marine and Wildlife Resources Report
C. Deep Sea Mining
C.1. State of Knowledge on Deep-Sea Mining Impacts
C.2. Impossible Metals Proposal
C.3. Report on American Samoa Concerns
D. Advisory Group Report and Recommendations
D.1. American Samoa Advisory Panel
D.2. Fishing Industry Advisory Committee
D.3. Scientific and Statistical Committee
E. Public Comment
F. Council Discussion and Action
12. Administrative Matters
A. Financial Reports
B. Administrative Reports
C. Council Family Changes
D. Meetings and Workshops
E. Executive and Budget Standing Committee Report
F. Public Comment
G. Council Discussion and Action
13. Other Business

Non-emergency issues not contained in this agenda may come before the Council for discussion during its 204th meeting. However, Council final decisions will be restricted to those issues specifically listed in this document and any regulatory issue arising after publication of this document that requires emergency action under section 305(c) of the Magnuson-Stevens Act, provided the public has been notified of the Council's intent to take action to address the emergency.

Special Accommodations

These meetings are accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Kitty M. Simonds, (808) 522–8220 (voice) or (808) 522–8226 (fax), at least 5 days prior to the meeting date.

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

Dated: August 19, 2025.

Rey Israel Marquez,

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

[FR Doc. 2025–16019 Filed 8–20–25; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648–XF118]

North Pacific Fishery Management Council; Public Meeting

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

ACTION: Notice of web conference.

SUMMARY: The North Pacific Fishery Management Council (Council) Crab Plan Team will meet September 8, 2025, through September 12, 2025.

DATES: The meeting will be held on Monday, September 8, 2025, through Friday, September 12, 2025, from 8 a.m. to 4 p.m. Alaska Time.

ADDRESSES: The meetings will be a web conference. Join online through the link at *https://meetings.npfmc.org/Meeting/Details/3097.*

Council address: North Pacific Fishery Management Council, 1007 W 3rd Ave., Anchorage, AK 99501–2252; telephone: (907) 271–2809. Instructions for attending the meeting via video conference are given under **SUPPLEMENTARY INFORMATION.**

FOR FURTHER INFORMATION CONTACT: Anita Kroska, Council staff; phone; (907) 271–2809; email: *anita.kroska@noaa.gov.* For technical support please contact our admin Council staff, email: *npfmc.admin@noaa.gov.*

SUPPLEMENTARY INFORMATION:

Agenda

Monday, September 8, 2025, Through Friday, September 12, 2025

The agenda will include (a) summer trawl survey results; (b) fishery summary 2024/2025; (c) Ecosystem Status Report; (d) risk table review; (e) Bristol Bay Red King Crab SAFE report and risk table; (f) Snow crab SAFE report and risk table; (g) BBRKC and snow crab report cards; (h) Tanner crab SAFE report and risk table; (i) Tanner crab ESP; (j) Pribilof Island Red King Crab SAFE report; (k) Pribilof Island Blue King Crab SAFE report; (l) Aleutian Island Golden King Crab proposed models; (m) Norton Sound Red King Crab model-based indices updates; (n) overfishing status updates; (o) Bering Sea Fisheries Research Foundation update; (p) Harvest Control Rules workshop discussion; and (q) additional topics. The agenda is subject to change, and the latest version will be posted at *https://meetings.npfmc.org/Meeting/Details/3097* prior to the meeting, along with meeting materials.

Connection Information

You can attend the meeting online using a computer, tablet, or smart phone, or by phone only. Connection information will be posted online at: *https://meetings.npfmc.org/Meeting/Details/3097.*

Public Comment

Public comment letters will be accepted and should be submitted electronically to *https://meetings.npfmc.org/Meeting/Details/3097.*

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

Dated: August 18, 2025.

Rey Israel Marquez,

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

[FR Doc. 2025–15955 Filed 8–20–25; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

Patent and Trademark Office

Agency Information Collection Activities; Submission to the Office of Management and Budget for Review and Approval; Comment Request; Complaints Regarding Invention Promoters

AGENCY: United States Patent and Trademark Office, Department of Commerce.

ACTION: Notice of information collection; request for comments.

SUMMARY: The United States Patent and Trademark Office (USPTO) 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. The USPTO invites comments on this information collection renewal of 0651–0044 (Complaints Regarding Invention Promoters), which helps the USPTO assess the impact of its information collection requirements and minimize the public's reporting burden. Public comments were previously requested via the **Federal Register** on May 19, 2025, during a 60-day comment period (90 FR 21295) This notice allows for an additional 30 days for public comment.

DATES: To ensure consideration, you must submit comments regarding this information collection on or before September 22, 2025.

ADDRESSES: Written comments and recommendations for this information collection should be submitted within 30 days of the publication of this notice on the following website, *www.reginfo.gov/public/do/PRAMain.* Find this particular information collection by selecting ''Currently under 30-day Review—Open for Public Comments'' or by using the search function and entering either the title of the information collection or the OMB Control Number, 0651–0044. Do not submit Confidential Business Information or otherwise sensitive or protected information.

FOR FURTHER INFORMATION CONTACT:

- This information collection request may be viewed at *www.reginfo.gov/public/do/PRAMain.* Follow the instructions to view Department of Commerce, USPTO information collections currently under review by OMB.
- *Email: InformationCollection@uspto.gov.* Include ''0651–0044 information request'' in the subject line of the message.
- *Mail:* Justin Isaac, Office of the Chief Administrative Officer, United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313–1450.
- *Telephone:* Toni Krasnic, Office of Patents Stakeholder Experience, 571–272–7182.

SUPPLEMENTARY INFORMATION:

Agency: United States Patent and Trademark Office, Department of Commerce.

Title: Complaints Regarding Invention Promoters.

OMB Control Number: 0651–0044.

Needs and Uses: Pursuant to the Inventors' Rights Act of 1999, 35 U.S.C. 297, and implementing regulations at 37 CFR, Part 4, the United States Patent and Trademark Office (USPTO) is required to provide a form for the publication of complaints concerning invention promoters. Upon receipt of a complaint, the USPTO will forward it to the invention promoter for a response. The USPTO does not investigate these complaints or participate in any legal proceedings against invention promoters or invention promotion companies. Under the Inventors' Rights Act, the USPTO is responsible only for publishing complaints and responses on the USPTO website, making them available to the public.

A complaint submitted to the USPTO must be clearly marked, or otherwise identified, as a complaint. The complaint must include:

(1) the name and address of the complainant;

(2) the name and address of the invention promoter;

(3) the name of the customer;

(4) the invention promotion services offered or performed by the invention promoter;

(5) the name of the mass media in which the invention promoter advertised such services;

(6) an example of the relationship between the customer and the invention promoter; and

(7) a signature of the complainant.

Identifying information is necessary so that the USPTO can both forward the complaint to the invention promoters or invention promotion companies as well as notify the complainant that the complaint has been forwarded. Complainants should understand that the complaints will be forwarded to the invention promoter for response and that the complaint and response will be made available to the public as required by the Inventors' Rights Act. If the USPTO does not receive a response from the invention promoter within 30 days, the complaint will be published without a response. Under this program, the USPTO does not accept complaints that request confidentiality. The USPTO may refer submitted complaints to the USPTO Office of Enrollment and Discipline, as appropriate.

This information collection contains one form, PTO/2048A (Complaint Regarding Invention Promotion), which is used by the public to submit a complaint under this program. This form is available for download from the USPTO website. Use of this form is voluntary.

Complainants may submit a complaint without the form as long as the complaint includes the necessary information and the submission is clearly marked as a complaint filed under the Inventors' Rights Act. Invention promotion firms may use any format when responding to a submitted complaint; there is no associated USPTO form. Complaints and responses are posted at *https://www.uspto.gov/patents/basics/using-legal-services/scam-prevention/published-complaints/published.* Although the USPTO typically receives only a few complaints each year, that number is expected to rise given the recent announcement of new efforts to mitigate threats and protect the integrity of the U.S. patent system: *https://www.uspto.gov/patents/fraud.*

The name of this information collection is being changed from ''Invention Promoters/Promotion Firm Complaints'' to ''Complaints Regarding Invention Promoters' to better align with how this program is usually referenced.

Forms

- PTO/2048A (Complaint Regarding Invention Promoter).

Type of Review: Extension of a currently approved information collection.

Affected Public: Individuals and households; Private sector.

Respondent's Obligation: Voluntary.

Frequency: On occasion.

Estimated Number of Annual Respondents: 22 respondents.

Estimated Number of Annual Responses: 22 responses.

Estimated Time per Response: The USPTO estimates that the responses in this information collection will take the public approximately 15 minutes (0.25 hours) to 30 minutes (0.50 hours). This includes the time to gather the necessary information, create the document, and submit the completed items to the USPTO.

Estimated Total Annual Respondent Burden Hours: 8 hours.

Estimated Total Annual Respondent Non-hourly Cost Burden: $9.

Justin Isaac,

Information Collections Officer, Office of the Chief Administrative Officer, United States Patent and Trademark Office.

[FR Doc. 2025–16000 Filed 8–20–25; 8:45 am]

BILLING CODE 3510–16–P

ELECTION ASSISTANCE COMMISSION

Petition of America First Legal Foundation for Rulemaking Before the Election Assistance Commission

AGENCY: Election Assistance Commission.

ACTION: Rulemaking Petition: Notification of Availability.

SUMMARY: On July 16, 2025, the Election Assistance Commission (EAC or Commission) received a petition for rulemaking submitted by America First Legal Foundation asking the Commission to amend EAC Regulations and the National Mail Voter Registration Form to require documentary proof of United States citizenship to register to vote in federal elections.

DATES: Comments must be submitted on or before October 20, 2025.

ADDRESSES: All comments must be in writing. Interested persons should not provide in their comments any information that they do not wish to make public, such as a home street address, personal email address, date of birth, phone number, social security number, driver's license number, or any information that is privileged or confidential.

Interested persons are encouraged to submit comments using the Federal eRulemaking Portal at *www.regulations.gov* under docket number EAC–2025–0236. Follow the instructions for submitting comments. Alternatively, interested persons may submit comments, identified by docket number EAC–2025–0236, by postal mail at: U.S. Election Assistance Commission, 633 3rd Street NW, Suite 200, Washington, DC 20001. Attn: Office of the General Counsel.

FOR FURTHER INFORMATION CONTACT: Camden Kelliher, EAC General Counsel. Telephone: (202) 360–3160; Email: *ckelliher@eac.gov.*

SUPPLEMENTARY INFORMATION: On July 16, 2025, the Election Assistance Commission received a petition for rulemaking submitted by America First Legal Foundation, asking the Commission to amend 11 CFR 9428.4 and the federal voter registration form to require documentary proof of United States citizenship to register to vote in federal elections.

The National Voter Registration Act (NVRA) of 1993 (52 U.S.C. 20501–20511) created a single federal form that all states are required to accept and use for voter registration for federal elections. The EAC is responsible for maintaining and, as necessary, amending this form. The NVRA mandates that states ''accept and use the mail voter registration application form prescribed by the [EAC] . . . for the registration of voters in elections for Federal office''; that the form contain the following question: ''Are you a citizen of the United States of America?''; and that the form ''include a statement that . . . specifies each eligibility requirement (including citizenship)'' and ''requires the signature of the applicant, under penalty of perjury.'' The NVRA also empowers the EAC to ''require . . . information . . . necessary to enable the appropriate State election official to assess the eligibility of the applicant and to administer voter registration and other parts of the election process.''

The Help America Vote Act (HAVA) requires that the NVRA form include a question about citizenship status, requiring attestation of United States citizenship under penalty of perjury, without necessitating documentary proof of citizenship (52 U.S.C. 21083(b)(4)(A)). The implementing regulations for this requirement are provided in 11 CFR 9428.4.

The petition submitted by America First Legal Foundation seeks to initiate a rulemaking process to amend 11 CFR 9428.4 and the federal voter registration form to require applicants to provide one of the following as proof of citizenship: U.S. Passport, State-issued Real ID-compliant driver's license indicating that the applicant is a citizen, an official military identification card that indicates the applicant is a citizen of the United States, or a valid Federal or State government-issued photo identification if such identification indicates that the applicant is a United States citizen or if such identification is otherwise accompanied by proof of United States citizenship.

The EAC seeks comments on the petition. The public may inspect the petition here: *https://www.eac.gov/sites/default/files/2025-08/America_First_Legal_EAC_DPOC_Rule_Petition.pdf.* The EAC will not consider the petition's merits until after the comment period closes.

Camden Kelliher

General Counsel, U.S. Election Assistance Commission.

[FR Doc. 2025–15930 Filed 8–20–25; 8:45 am]

BILLING CODE 4810–71–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 1927–141]

PacifiCorp; Notice of Effectiveness of Withdrawal of Water Quality Management Plan

On April 12, 2024, PacifiCorp (licensee), filed a Water Quality Management Plan (Plan) for the North Umpqua Hydroelectric Project No. 1927, in accordance with ordering paragraph (L) of the Commission's Order Amending License, Approving Revised Exhibits A, F, and G, Revising Project Description, and Incorporating Water Quality Certificate.[1] On August 1, 2025, the licensee filed a request to withdraw its Water Quality Management Plan.

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,[2] the withdrawal of the application became effective on August 16, 2025, and this proceeding is hereby terminated.

Dated: August 18, 2025.

Debbie-Anne A. Reese,

Secretary.

[FR Doc. 2025–16013 Filed 8–20–25; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. EL25–100–000]

Ranchland Solar, LLC; Notice of Institution of Section 206 Proceeding and Refund Effective Date

On August 18, 2025, the Commission issued an order in Docket No. EL25–100–000, pursuant to section 206 of the Federal Power Act (FPA), 16 U.S.C. 824e, instituting an investigation to determine whether Ranchland Solar, LLC's Rate Schedule is considered

[1] *PacifiCorp,* 185 FERC ¶ 62,112 (2023) (delegated order).

[2] 18 CFR 385.216(b) (2024).

unjust, unreasonable, unduly, discriminatory or preferential, or otherwise unlawful. *Ranchland Solar, LLC,* 192 FERC ¶ 61,162 (2025).

The refund effective date in Docket No. EL25–100–000 established pursuant to section 206(b) of the FPA, will be the date of publication of this notice in the **Federal Register**.

Any interested person desiring to be heard in Docket No. EL25–100–000 must file a notice of intervention or motion to intervene, as appropriate, with the Federal Energy Regulatory Commission, in accordance with Rule 214 of the Commission's Rules of Practice and Procedure, 18 CFR 385.214 (2024), within 21 days of the date of issuance of the order.

In addition to publishing the full text of this document in the **Federal Register**, the Commission provides all interested persons an opportunity to view and/or print the contents of this document via the internet through the Commission's Home Page (*http://www.ferc.gov*) using the ''eLibrary'' link. Enter the docket number excluding the last three digits in the docket number field to access the document. From FERC's Home Page on the internet, this information is available on eLibrary. The full text of this document is available on eLibrary in PDF and Microsoft Word format for viewing, printing, and/or downloading. To access this document in eLibrary, type the docket number excluding the last three digits of this document in the docket number field. User assistance is available for eLibrary and the FERC's website during normal business hours from FERC Online Support at 202–502–6652 (toll free at 1–866–208–3676) or email at *ferconlinesupport@ferc.gov,* or the Public Reference Room at (202) 502–8371, TTY (202) 502–8659. Email the Public Reference Room at *public.referenceroom@ferc.gov*.

The Commission strongly encourages electronic filings of comments, protests and interventions in lieu of paper using the ''eFile'' link at *http://www.ferc.gov*. In lieu of electronic filing, you may submit a paper copy. Submissions sent via the U.S. Postal Service must be addressed to: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Room 1A, Washington, DC 20426. Submissions sent via any other carrier must be addressed to: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, Maryland 20852.

The Commission's Office of Public Participation (OPP) supports meaningful public engagement and participation in Commission proceedings. OPP can help members of the public, including landowners, community organizations, Tribal members and others, access publicly available information and navigate Commission processes. For public inquiries and assistance with making filings such as interventions, comments, or requests for rehearing, the public is encouraged to contact OPP at (202) 502–6595 or *OPP@ferc.gov*.

Dated: August 18, 2025

Debbie-Anne A. Reese,

Secretary.

[FR Doc. 2025–16014 Filed 8–20–25; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings

Take notice that the Commission has received the following Natural Gas Pipeline Rate and Refund Report filings:

Filings Instituting Proceedings

Docket Numbers: RP25–1071–000.

Applicants: Tidal Energy Marketing (U.S.) L.L.C., Cannat Energy Inc.

Description: Joint Petition for Limited Waiver of Capacity Release Regulations, et al. of Tidal Energy Marketing (U.S.) L.L.C., et al.

Filed Date: 8/18/25.

Accession Number: 20250818–5073.

Comment Date: 5 p.m. ET 9/2/25.

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: August 18, 2025.

Carlos D. Clay,

Deputy Secretary.

[FR Doc. 2025–15993 Filed 8–20–25; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings #2

Take notice that the Commission received the following electric rate filings:

Docket Numbers: ER25–3195–000.

Applicants: Amber Meadow Solar, LLC.

Description: 205(d) Rate Filing: Amber Meadow Solar MBR Application to be effective 10/20/2025.

Filed Date: 8/15/25.

Accession Number: 20250815–5178.

Comment Date: 5 p.m. ET 9/5/25.

Docket Numbers: ER25–3196–000.

Applicants: Cabokenze Energy Storage, LLC.

Description: 205(d) Rate Filing: Cabokenze Energy Storage MBR Application to be effective 10/20/2025.

Filed Date: 8/15/25.

Accession Number: 20250815–5181.

Comment Date: 5 p.m. ET 9/5/25.

Docket Numbers: ER25–3197–000.

Applicants: White Pine Energy Storage, LLC.

Description: 205(d) Rate Filing: White Pine Energy Storage MBR Application to be effective 10/20/2025.

Filed Date: 8/15/25.

Accession Number: 20250815–5185.

Comment Date: 5 p.m. ET 9/5/25.

Docket Numbers: ER25–3198–000.

Applicants: Decatur Energy Storage, LLC.

Description: 205(d) Rate Filing: Decatur Energy Storage MBR Application to be effective 10/20/2025.

Filed Date: 8/15/25.

Accession Number: 20250815–5187.

Comment Date: 5 p.m. ET 9/5/25.

Docket Numbers: ER25–3199–000.

Applicants: Dougherty County Energy Storage, LLC.

Description: 205(d) Rate Filing: Dougherty County Energy Storage MBR Application to be effective 10/20/2025.

Filed Date: 8/15/25.

Accession Number: 20250815–5188.
Comment Date: 5 p.m. ET 9/5/25.

Docket Numbers: ER25–3200–000.
Applicants: Dothan Solar, LLC.
Description: 205(d) Rate Filing: Dothan Solar MBR Application to be effective 10/20/2025.
Filed Date: 8/15/25.
Accession Number: 20250815–5190.
Comment Date: 5 p.m. ET 9/5/25.

Docket Numbers: ER25–3201–000.
Applicants: Shortleaf Solar, LLC.
Description: 205(d) Rate Filing: Shortleaf Solar MBR Application to be effective 10/20/2025.
Filed Date: 8/15/25.
Accession Number: 20250815–5191.
Comment Date: 5 p.m. ET 9/5/25.

Docket Numbers: ER25–3202–000.
Applicants: Wilsonville Solar, LLC.
Description: 205(d) Rate Filing: Wilsonville Solar MBR Application to be effective 10/20/2025.
Filed Date: 8/15/25.
Accession Number: 20250815–5192.
Comment Date: 5 p.m. ET 9/5/25.

Docket Numbers: ER25–3203–000.
Applicants: Southwest Power Pool, Inc.
Description: Tariff Amendment: 4132R1 Choctaw Fields Solar Project Surplus Inter GIA Cancel to be effective 7/30/2025.
Filed Date: 8/18/25.
Accession Number: 20250818–5012.
Comment Date: 5 p.m. ET 9/8/25.

Docket Numbers: ER25–3204–000.
Applicants: SunZia Transmission, LLC.
Description: Tariff Amendment: Cancellation of TSA (SA No.1) with SunZia Wind PowerCo LLC to be effective 8/19/2025.
Filed Date: 8/18/25.
Accession Number: 20250818–5050.
Comment Date: 5 p.m. ET 9/8/25.

Docket Numbers: ER25–3205–000.
Applicants: PacifiCorp.
Description: 205(d) Rate Filing: PGE Cost Reimbursement Agreement Concurrence (R.S. No. 799) to be effective 9/28/2025.
Filed Date: 8/18/25.
Accession Number: 20250818–5053.
Comment Date: 5 p.m. ET 9/8/25.

Docket Numbers: ER25–3206–000.
Applicants: Cherry Valley PV I, LLC.
Description: 205(d) Rate Filing: Cherry Valley PV I, LLC MBR Tariff to be effective 10/18/2025.
Filed Date: 8/18/25.
Accession Number: 20250818–5067.
Comment Date: 5 p.m. ET 9/8/25.

Docket Numbers: ER25–3207–000.
Applicants: Cooks Mill PV I, LLC.
Description: 205(d) Rate Filing: Cooks Mill PV I, LLC MBR Tariff to be effective 10/18/2025.
Filed Date: 8/18/25.
Accession Number: 20250818–5068.
Comment Date: 5 p.m. ET 9/8/25.

Docket Numbers: ER25–3208–000.
Applicants: Mid-Atlantic Interstate Transmission, LLC.
Description: 205(d) Rate Filing: MAIT submits Amended IA, SA No. 4577 to be effective 10/18/2025.
Filed Date: 8/18/25.
Accession Number: 20250818–5069.
Comment Date: 5 p.m. ET 9/8/25.

Docket Numbers: ER25–3210–000.
Applicants: Crooked Creek PV I, LLC.
Description: 205(d) Rate Filing: Crooked Creek PV I, LLC MBR Tariff to be effective 10/18/2025.
Filed Date: 8/18/25.
Accession Number: 20250818–5074.
Comment Date: 5 p.m. ET 9/8/25.

Docket Numbers: ER25–3211–000.
Applicants: Olympus Phase 1, LLC.
Description: 205(d) Rate Filing: Olympus Phase 1, LLC MBR Tariff to be effective 8/19/2025.
Filed Date: 8/18/25.
Accession Number: 20250818–5093.
Comment Date: 5 p.m. ET 9/8/25.

Docket Numbers: ER25–3212–000.
Applicants: Olympus Phase 2, LLC.
Description: 205(d) Rate Filing: Olympus Phase 2, LLC MBR Tariff to be effective 8/19/2025.
Filed Date: 8/18/25.
Accession Number: 20250818–5096.
Comment Date: 5 p.m. ET 9/8/25.

Docket Numbers: ER25–3213–000.
Applicants: Olympus Phase 3, LLC.
Description: 205(d) Rate Filing: Olympus Phase 3, LLC MBR Tariff to be effective 8/19/2025.
Filed Date: 8/18/25.
Accession Number: 20250818–5097.
Comment Date: 5 p.m. ET 9/8/25.

Docket Numbers: ER25–3214–000.
Applicants: PJM Interconnection, L.L.C.
Description: 205(d) Rate Filing: Revisions to OA, Schedule 12 & RAA, Schedule 17 RE: 2Q 2025 Member Lists to be effective 6/30/2025.
Filed Date: 8/18/25.
Accession Number: 20250818–5104.
Comment Date: 5 p.m. ET 9/8/25.

Docket Numbers: ER25–3215–000.
Applicants: Saunder's Crossing Energy Storage, LLC.
Description: 205(d) Rate Filing: Saunder's Crossing Energy Storage MBR Application to be effective 10/20/2025.
Filed Date: 8/18/25.
Accession Number: 20250818–5111.
Comment Date: 5 p.m. ET 9/8/25.

Docket Numbers: ER25–3216–000.
Applicants: ELP Stillwater Solar LLC.
Description: 205(d) Rate Filing: Revised Market-Based Rate Tariff to be effective 8/19/2025.
Filed Date: 8/18/25.
Accession Number: 20250818–5113.
Comment Date: 5 p.m. ET 9/8/25.

Take notice that the Commission received the following electric securities filings:

Docket Numbers: ES25–65–000.
Applicants: GridLiance West LLC.
Description: Application Under Section 204 of the Federal Power Act for Authorization to Issue Securities of GridLiance West LLC.
Filed Date: 8/15/25.
Accession Number: 20250815–5220.
Comment Date: 5 p.m. ET 9/5/25.

Docket Numbers: ES25–66–000.
Applicants: Silver Run Electric, LLC.
Description: Application Under Section 204 of the Federal Power Act for Authorization to Issue Securities of Silver Run Electric, LLC.
Filed Date: 8/15/25.
Accession Number: 20250815–5223.
Comment Date: 5 p.m. ET 9/5/25.

Docket Numbers: ES25–67–000.
Applicants: Republic Transmission, LLC.
Description: Application Under Section 204 of the Federal Power Act for Authorization to Issue Securities of Republic Transmission, LLC.
Filed Date: 8/15/25.
Accession Number: 20250815–5224.
Comment Date: 5 p.m. ET 9/5/25.

The filings are accessible in the Commission's eLibrary system (*https://elibrary.ferc.gov/idmws/search/fercgensearch.asp*) by querying the docket number.

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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: August 18, 2025.

Carlos D. Clay,

Deputy Secretary.

[FR Doc. 2025–15995 Filed 8–20–25; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings #1

Take notice that the Commission received the following electric corporate filings:

Docket Numbers: EC25–127–000.

Applicants: Elwood Energy LLC.

Description: Application for Authorization Under Section 203 of the Federal Power Act of Elwood Energy LLC.

Filed Date: 8/14/25.

Accession Number: 20250814–5225.

Comment Date: 5 p.m. ET 9/4/25.

Docket Numbers: EC25–128–000.

Applicants: Duke Energy Corporation, Duke Energy Carolinas, LLC, Duke Energy Progress, LLC.

Description: Joint Application for Authorization Under Section 203 of the Federal Power Act of Duke Energy Corporation, et al.

Filed Date: 8/14/25.

Accession Number: 20250814–5227.

Comment Date: 5 p.m. ET 9/4/25.

Docket Numbers: EC25–129–000.

Applicants: Calpine Mid-Atlantic Generation, LLC, First State Generation, LLC.

Description: Joint Application for Authorization Under Section 203 of the Federal Power Act of Calpine Mid-Atlantic Generation, LLC, et al.

Filed Date: 8/15/25.

Accession Number: 20250815–5209.

Comment Date: 5 p.m. ET 9/5/25.

Docket Numbers: EC25–130–000.

Applicants: Nine Mile Point Nuclear Station, LLC.

Description: Application for Authorization Under Section 203 of the Federal Power Act of Nine Mile Point Nuclear Station, LLC.

Filed Date: 8/15/25.

Accession Number: 20250815–5211.

Comment Date: 5 p.m. ET 9/5/25.

Docket Numbers: EC25–131–000.

Applicants: Linden VFT, LLC, Riverview Power Holdings LLC.

Description: Joint Application for Authorization Under Section 203 of the Federal Power Act of Linden VFT, LLC, et al.

Filed Date: 8/15/25.

Accession Number: 20250815–5214.

Comment Date: 5 p.m. ET 9/5/25.

Take notice that the Commission received the following exempt wholesale generator filings:

Docket Numbers: EG25–464–000.

Applicants: Kearsarge Orleans BESS LLC.

Description: Kearsarge Orleans BESS LLC submits Notice of Self-Certification of Exempt Wholesale Generator Status.

Filed Date: 8/15/25.

Accession Number: 20250815–5182.

Comment Date: 5 p.m. ET 9/5/25.

Docket Numbers: EG25–465–000.

Applicants: Kearsarge Sterling LLC.

Description: Kearsarge Sterling LLC submits Notice of Self-Certification of Exempt Wholesale Generator Status.

Filed Date: 8/15/25.

Accession Number: 20250815–5184.

Comment Date: 5 p.m. ET 9/5/25.

Docket Numbers: EG25–466–000.

Applicants: Amber Meadow Solar, LLC.

Description: Amber Meadow Solar, LLC submits Notice of Self-Certification of Exempt Wholesale Generator Status.

Filed Date: 8/18/25.

Accession Number: 20250818–5041.

Comment Date: 5 p.m. ET 9/8/25.

Docket Numbers: EG25–467–000.

Applicants: Cabokenze Energy Storage, LLC.

Description: Cabokenze Energy Storage, LLC submits Notice of Self-Certification of Exempt Wholesale Generator Status.

Filed Date: 8/18/25.

Accession Number: 20250818–5042.

Comment Date: 5 p.m. ET 9/8/25.

Docket Numbers: EG25–468–000.

Applicants: Decatur Energy Storage, LLC.

Description: Decatur Energy Storage, LLC submits Notice of Self-Certification of Exempt Wholesale Generator Status.

Filed Date: 8/18/25.

Accession Number: 20250818–5043.

Comment Date: 5 p.m. ET 9/8/25.

Docket Numbers: EG25–469–000.

Applicants: Dougherty County Energy Storage, LLC.

Description: Dougherty County Energy Storage, LLC submits Notice of Self-Certification of Exempt Wholesale Generator Status.

Filed Date: 8/18/25.

Accession Number: 20250818–5045.

Comment Date: 5 p.m. ET 9/8/25.

Docket Numbers: EG25–470–000.

Applicants: White Pine Energy Storage, LLC.

Description: White Pine Energy Storage, LLC submits Notice of Self-Certification of Exempt Wholesale Generator Status.

Filed Date: 8/18/25.

Accession Number: 20250818–5046.

Comment Date: 5 p.m. ET 9/8/25.

Docket Numbers: EG25–471–000.

Applicants: Saunder's Crossing Energy Storage, LLC.

Description: Saunder's Crossing Energy Storage, LLC submits Notice of Self-Certification of Exempt Wholesale Generator Status.

Filed Date: 8/18/25.

Accession Number: 20250818–5047.

Comment Date: 5 p.m. ET 9/8/25.

Docket Numbers: EG25–472–000.

Applicants: Dothan Solar, LLC.

Description: Dothan Solar, LLC submits Notice of Self-Certification of Exempt Wholesale Generator Status.

Filed Date: 8/18/25.

Accession Number: 20250818–5048.

Comment Date: 5 p.m. ET 9/8/25.

Docket Numbers: EG25–473–000.

Applicants: Shortleaf Solar, LLC.

Description: Shortleaf Solar, LLC submits Notice of Self-Certification of Exempt Wholesale Generator Status.

Filed Date: 8/18/25.

Accession Number: 20250818–5049.

Comment Date: 5 p.m. ET 9/8/25.

Docket Numbers: EG25–474–000.

Applicants: Wilsonville Solar, LLC.

Description: Wilsonville Solar, LLC submits Notice of Self-Certification of Exempt Wholesale Generator Status.

Filed Date: 8/18/25.

Accession Number: 20250818–5051.

Comment Date: 5 p.m. ET 9/8/25.

Take notice that the Commission received the following electric rate filings:

Docket Numbers: ER22–2494–002.

Applicants: FirstEnergy Service Company.

Description: Notice of Change in Status of FirstEnergy Service Company.

Filed Date: 8/13/25.

Accession Number: 20250813–5182.

Comment Date: 5 p.m. ET 9/3/25.

Docket Numbers: ER25–279–002; ER22–1703–005; ER17–991–012; ER17–2011–004; ER17–2012–002; ER17–2015–002; ER24–2589–004; ER24–2590–004.

Applicants: Castleton Commodities Energy Trading LLC, Castleton Commodities Energy Services LLC, Roseton Generating LLC, Rensselaer Generating LLC, Castleton Commodities Merchant Trading L.P., Hunlock Energy, LLC, Salem Harbor Power Development LP, Hunlock Creek Generating LLC.

Description: Notice of Change in Status of Hunlock Creek Generating LLC, et al.

Filed Date: 8/15/25.

Accession Number: 20250815–5216.

Comment Date: 5 p.m. ET 9/5/25.

Docket Numbers: ER25–2560–001.

Applicants: American Transmission Systems, Incorporated.

Description: Tariff Amendment: Amendment of SA No. 3995 in Docket No. ER25–2560–000 to be effective 8/20/2025.

Filed Date: 8/18/25.

Accession Number: 20250818–5087.

Comment Date: 5 p.m. ET 9/8/25.

Docket Numbers: ER25–3079–001.

Applicants: Kearsarge Sterling LLC.

Description: Tariff Amendment: KS_Sterling_MBRA_Correction to be effective 10/1/2025.

Filed Date: 8/18/25.

Accession Number: 20250818–5057.

Comment Date: 5 p.m. ET 9/8/25.

The filings are accessible in the Commission's eLibrary system (*https://elibrary.ferc.gov/idmws/search/fercgensearch.asp*) by querying the docket number.

Any person desiring to intervene, to protest, or to answer a complaint in any of the above proceedings must file in accordance with Rules 211, 214, or 206 of the Commission's Regulations (18 CFR 385.211, 385.214, or 385.206) on or before 5:00 p.m. Eastern time on the specified comment date. Protests may be considered, but intervention is necessary to become a party to the proceeding.

eFiling is encouraged. More detailed information relating to filing requirements, interventions, protests, service, and qualifying facilities filings can be found at: *http://www.ferc.gov/docs-filing/efiling/filing-req.pdf*. For other information, call (866) 208–3676 (toll free). For TTY, call (202) 502–8659.

The Commission's Office of Public Participation (OPP) supports meaningful public engagement and participation in Commission proceedings. OPP can help members of the public, including landowners, community 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: August 18, 2025.

Carlos D. Clay,

Deputy Secretary.

[FR Doc. 2025–15994 Filed 8–20–25; 8:45 am]

BILLING CODE 6717–01–P

ENVIRONMENTAL PROTECTION AGENCY

[EPA–HQ–OPP–2025–0756; FRL–12903–02–OCSPP]

FIFRA Scientific Advisory Panel (SAP); Determining the Absence of Novel Proteins in the Saliva of Genetically Engineered Mosquitoes for Mosquito Control; Notice of Availability, and Request for Comment

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: The Environmental Protection Agency (EPA or ''Agency'') is announcing the availability of and soliciting public comment on materials that are being submitted to the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) Scientific Advisory Panel (SAP) for peer review on ''Determining the Absence of Novel Proteins in the Saliva of Genetically Engineered Mosquitoes for Mosquito Control.'' The white paper, charge questions, background documents, and related supporting materials are available for public review and comment. The FIFRA SAP will consider and review the documents at a 3-day virtual public meeting that was previously announced in the **Federal Register** of July 24, 2025. The virtual public meeting will be held on November 3–5, 2025, via a webcast platform such as ''*Zoomgov.com*'' and audio teleconference.

DATES: The following is a chronological listing of the dates for the specific activities that are described in more detail under **SUPPLEMENTARY INFORMATION.**

September 22, 2025—Deadline to submit written comments on the peer review documents (white paper, charge questions, background documents, and related supported materials).

October 24, 2025—Deadline to submit a request for special accommodations to allow sufficient time for EPA to process the request before the meeting.

October 27, 2025 (12:00 p.m. ET)—Deadline to register to be listed on the meeting agenda to make oral comments during the virtual meeting.

October 30, 2025—Deadline to submit a written version of oral comments that will be made during the virtual meeting.

November 3–5, 2025—FIFRA SAP public virtual meeting.

November 5, 2025—Deadline for those not making oral comments to register to receive the links to observe the meeting.

ADDRESSES:

To comment: Submit written comments, identified by docket identification (ID) number EPA–HQ–OPP–2025–0756, through *https://www.regulations.gov.* Follow the online instructions for submitting comments. Do not electronically submit any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Copyrighted material will not be posted without explicit permission from the copyright holder. Members of the public should also be aware that personal information included in any written comments may be posted on the internet at *https://www.regulations.gov.* Additional information on commenting or visiting the docket, along with more information about dockets generally, is available at *https://www.epa.gov/dockets.*

To register for the meeting: For information on how to register and access the virtual public meeting, please refer to the FIFRA SAP website at *https://www.epa.gov/*sap. EPA intends to announce registration instructions on the FIFRA SAP website by October 2025. You may also subscribe to the following listserv for alerts regarding this and other FIFRA SAP-related activities at *https://public.govdelivery.com/accounts/USAEPAOPPT/subscriber/new?topic_id=USAEPAOPPT_101.T.*

To request special accommodations: For information on access or services for individuals with disabilities, and to request accommodation for a disability, please contact the Designated Federal Official (DFO) listed under **FOR FURTHER INFORMATION CONTACT**.

FOR FURTHER INFORMATION CONTACT: The DFO, Alie Muneer, Mission Support Division, Office of Program Support, Office of Chemical Safety and Pollution Prevention, Environmental Protection Agency; telephone number: (202) 564–6369 or the main office number: (202) 564–8450; email address: *muneer.alie@epa.gov.*

SUPPLEMENTARY INFORMATION:

I. Executive Summary

A. What action is the Agency taking?

EPA is announcing the availability of and soliciting public comment on the white paper, entitled ''Determining the Absence of Novel Proteins in the Saliva of Genetically Engineered Mosquitoes for Mosquito Control,'' charge questions, background documents, and related supporting materials, which are available in the docket. EPA will be soliciting comments from the FIFRA SAP on the Agency's draft memorandum for developers of GE mosquitoes and case studies with the intent to provide additional acceptable

methodologies. If appropriate, based on the recommendations from the FIFRA SAP, EPA will update and release the final memorandum to provide support to developers of these technologies on how EPA will utilize the data in its human health risk assessment.

This document provides instructions for accessing the materials provided to the FIFRA SAP, submitting written comments, and registering to provide oral comments and attend the virtual meeting.

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

The FIFRA SAP is a federal advisory committee established in 1975 under FIFRA, 7 U.S.C. 136 *et seq.,* to provide independent scientific advice to EPA on health and safety issues related to pesticides. The FIFRA SAP operates in accordance with the Federal Advisory Committee Act (FACA), 5 U.S.C. 10, and supports activities under FIFRA, the Federal Food, Drug, and Cosmetic Act (FFDCA) and other applicable statutes.

C. Does this action apply to me?

This action is directed to the public in general. This action may be of interest to persons who are or may be required to conduct testing of chemical substances under the FFDCA and FIFRA. Since other entities may also be interested, the Agency has not attempted to describe all the specific entities that may be affected by this action.

D. What should I consider as I submit my comments to EPA?

1. Submitting Confidential Business Information (CBI)

Do not submit CBI or other sensitive information electronically to EPA through *https://www.regulations.gov* or email. To include information in your comment that you consider to be CBI or otherwise protected, please contact the DFO listed under **FOR FURTHER INFORMATION CONTACT** for instructions before submitting CBI or other sensitive information.

2. Tips for Preparing Your Comments

When preparing and submitting your comments, see the commenting tips at *https://www.epa.gov/dockets/commenting-epa-dockets.* See also the instructions in Unit III.

II. Background

A. What is the purpose of the FIFRA SAP?

The FIFRA SAP serves as one of the primary scientific peer review mechanisms of EPA's Office of Chemical Safety and Pollution Prevention (OCSPP) and is structured to provide independent scientific advice, information, and recommendations to the EPA Administrator on pesticides and pesticide-related issues as to the impact of regulatory actions on human health and the environment. The FIFRA SAP is a federal advisory committee established in 1975 under FIFRA that operates in accordance with requirements of the Federal Advisory Committee Act (5 U.S.C. 10). The FIFRA SAP is composed of a permanent panel consisting of seven members who are appointed by the EPA Administrator from nominees provided by the National Institutes of Health and the National Science Foundation. FIFRA established a Science Review Board (SRB) consisting of at least 60 scientists who are available to the FIFRA SAP on an *ad hoc* basis to assist in reviews conducted by the FIFRA SAP. As a scientific peer review mechanism, the FIFRA SAP provides comments, evaluations, and recommendations to improve the effectiveness and quality of analyses made by Agency scientists. Members of the FIFRA SAP are scientists who have sufficient professional qualifications, including training and experience, to provide expert advice and recommendations to the Agency.

B. Why did EPA develop these documents?

Genetic engineering can be used to develop modified mosquitoes for mosquito control purposes. A hallmark of GE mosquitoes is their species-specific mode-of-action, as they rely on the mating of modified male mosquitoes with wild-type females that are present in the treatment area. GE male mosquitoes express reproductive incompatibilities that are designed to reduce the number of offspring emerging from these matings. When released in quantities and at frequencies sufficient to outcompete the wild-type males, fewer mosquitoes of that species emerge in the treatment area, reducing its population size over time. GE mosquitoes may be engineered to carry one or more genes that code for a pesticidal trait as well as other genes that are integral to its function. To date, EPA has granted one Experimental Use Permit for a GE *Ae.aegypti* product, called OX5034, for which the company is now seeking a commercial registration. Similar GE mosquito products are currently in various stages of development.

While for novel types of pesticides, such as a GE mosquito, EPA determines on a case-by-case basis the data and information needed to support the risk assessments, the base data are anchored in the established tiered biochemical data requirements at 40 CFR part 158. This information is then supplemented with product-specific information, such as the biology of the particular GE mosquito and any novel exposure potentials.

In the United States, various species of mosquitoes are known to transmit diseases that are of concern to humans. As such, these same species of mosquitoes may be engineered with the goal of reducing their population. For the human health risk assessment, determining the likelihood of the presence of GE females in the environment is important as female mosquitoes (but not males) bite humans and therefore may pose a unique intradermal route of pesticide exposure. Generally, the number of GE females in the environment is expected to be very low, however some GE females may either be incidentally released and/or emerge in the environment from matings.

EPA performs human health risk assessments and by definition risk is a function of both hazard and exposure. Determination on whether a protein is present in the saliva of female mosquitoes informs the likelihood of exposure, and thus overall risk, of humans to these proteins through the intradermal route. To that end, EPA has developed a draft memorandum that outlines genetic design considerations to minimize the likelihood for an engineered protein to be present in the saliva of GE females and to provide recommendations on specific tests to empirically determine protein absence in the saliva.

EPA will be soliciting advice from the SAP on specific aspects of the Agency's draft memorandum for developers of GE mosquitoes and case studies with the intent to provide additional acceptable methodologies. If appropriate, based on the recommendations from the FIFRA SAP, EPA will update and release the final memorandum to provide support to developers of these technologies on how EPA will utilize the data in its human health risk assessment.

III. Virtual Public Meeting of the FIFRA SAP

A. How can I access the documents submitted for review to the FIFRA SAP?

These documents, including the white paper, charge questions, draft memorandum, background documents, and related supporting materials, mentioned in Unit II.B provided to the FIFRA SAP are available in the docket at *https://www.regulations.gov* (docket

ID No. EPA–HQ–OPP–2025–0756) and the FIFRA SAP website at *https://www.epa.gov/sap.* In addition, as additional background materials become available and are provided to the FIFRA SAP, EPA will include those additional background documents (*e.g., FIFRA SAP* members and consultants participating in the meeting and the meeting agenda) in the docket and accessible through the FIFRA SAP website.

After the public meeting, the FIFRA SAP will prepare meeting minutes and a final report document summarizing its recommendations to the EPA. This document will also be posted in the docket and made available at *regulations.gov* and the FIFRA SAP website.

B. How can I provide comments for the FIFRA SAP's consideration?

To ensure proper receipt of comments, it is imperative that you identify docket ID No. EPA–HQ–OPP–2025–0756 in the subject line on the first page of your comments and follow the instructions in this unit.

1. Written Comments

The Agency encourages written comments for this meeting be submitted by the deadlines set in the **DATES** section of this document and as described in the **ADDRESSES** section of this document.

2. Oral Comments

To request time to present oral comments during the virtual public meeting, you must register online by the deadlines set in the **DATES** section of this document. Oral comments during the virtual public meetings are limited to five minutes unless arrangements have been made with the DFO, within the constraints of the meeting agenda, prior to noon (12:00 p.m. ET), October 27, 2025. In addition, each speaker should submit a written copy of their oral comments and any supporting materials (*e.g.,* presentation slides) to the DFO prior to the meeting for distribution to the FIFRA SAP by the deadline set in the **DATES** section of this document.

C. How can I participate in the virtual public meeting?

To participate in the virtual public meeting, you must register online to receive the webcast and streaming service meeting links and audio teleconference information for the meeting. Online registration will be available approximately one month prior to the meeting and will remain open through the end of the meeting. To make oral comments during the meeting, follow the instructions in this document.

Authority: 5 U.S.C. 10; 7 U.S.C. 136 *et seq.;* 21 U.S.C. 301 *et seq.*

Dated: August 15, 2025.

Nancy B. Beck,

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

[FR Doc. 2025–15950 Filed 8–20–25; 8:45 am]

BILLING CODE 6560–50–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Medicare & Medicaid Services

[Document Identifier: CMS–10079 and CMS–10052]

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 October 20, 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–10079 Wage Index Occupational Mix Survey Data

CMS–10052 Recognition of Pass-Through Payment for Additional (New) Categories of Devices Under the Outpatient Prospective Payment System

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:* Extension of a currently approved collection; *Title:* Hospital

Wage Index Occupational Mix Survey; *Use:* Section 304(c) of Public Law 106–554 amended section 1886(d)(3)(E) of the Social Security Act to require CMS to collect data every 3 years on the occupational mix of employees for each short-term, acute care hospital participating in the Medicare program, in order to construct an occupational mix adjustment to the wage index, for application beginning October 1, 2004 (the FY 2005 wage index). The purpose of the occupational mix adjustment is to control for the effect of hospitals' employment choices on the wage index. For example, hospitals may choose to employ different combinations of registered nurses, licensed practical nurses, nursing aides, and medical assistants for the purpose of providing nursing care to their patients. The varying labor costs associated with these choices reflect hospital management decisions rather than geographic differences in the costs of labor.

CMS takes the data collected from the approximately 3,200 IPPS providers participating in the Medicare program and runs the data through mathematical formulas to create the occupational mix adjustment to the wage index. CMS informs hospitals of the occupational mix adjusted wage indexes through notice and comment rulemaking each year. *Form Number:* CMS–10079 (OMB control number: 0938–0907); *Frequency:* Annually; *Affected Public:* Private Sector, Business or other for-profit and not-for-profit institutions; *Number of Respondents:* 3,100; *Number of Responses:* 3,100; *Total Annual Hours:* 1,488,000. (For policy questions regarding this collection contact Noel Manlove at 410–786–5161.)

2. *Type of Information Collection Request:* Extension of a currently approved collection; *Title of Information Collection:* Recognition of Pass-Through Payment for Additional (New) Categories of Devices under the Outpatient Prospective Payment System and Supporting Regulations; *Use:* The transitional pass-through provision provides a way for ensuring appropriate payment for new technologies whose use and costs are not adequately represented in the base year claims data on which the outpatient PPS is constructed as required by law. Categories of medical devices will receive transitional pass-through payments for 2 to 3 years from the date payments are initiated for the category. However, the underlying provision is permanent and provides an on-going mechanism for reflecting timely introduction of new items into the payment structure.

Interested parties such as hospitals, device manufacturers, pharmaceutical companies, and physicians apply for transitional pass-through payment for certain items used with services covered in the outpatient PPS. After we receive all requested information, we evaluate the information to determine if the creation of an additional category of medical devices for transitional pass-through payments is justified. We may request additional information related to the proposed new device category, as needed. We advise the applicant of our decision, and update the outpatient PPS during its next scheduled quarterly payment update cycle to reflect any newly approved device categories. We list below the information that we require from all applicants. The following information is required to process requests for additional categories of medical devices for transitional pass-through payments. *Form Number:* CMS–10052 (OMB control number: 0938–0857); *Frequency:* Annually; Affected Public: Private Sector, Business or other for-profits; *Number of Respondents:* 16; *Number of Responses:* 16; *Total Annual Hours:* 16. (For questions regarding this collection contact Amanda Rhee at 410–786–3888.)

William N. Parham, III,

Director, Division of Information Collections and Regulatory Impacts, Office of Strategic Operations and Regulatory Affairs.

[FR Doc. 2025–15981 Filed 8–20–25; 8:45 am]

BILLING CODE 4120–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Medicare & Medicaid Services

[Document Identifier: CMS–10320, CMS–10561, and CMS–10916]

Agency Information Collection Activities: Submission for OMB Review; 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 a second opportunity for public comment on the notice. Interested persons are invited to send comments regarding the burden estimate 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 on the collection(s) of information must be received by the OMB desk officer by September 22, 2025.

ADDRESSES: Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to *www.reginfo.gov/public/do/PRAMain.* Find this particular information collection by selecting ''Currently under 30-day Review—Open for Public Comments'' or by using the search function.

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 Parham at (410) 786–4669.

SUPPLEMENTARY INFORMATION: Under the Paperwork Reduction Act of 1995 (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 (44 U.S.C. 3506(c)(2)(A)) requires federal agencies to publish a 30-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 that summarizes

the following proposed collection(s) of information for public comment:

1. *Type of Information Collection Request:* Extension of a currently approved collection; *Title of Information Collection:* Health Care Reform Insurance Web Portal Requirements *45 CFR part 159; Use:* In accordance with sections 1103 and 10102 of The Patient Protection and Affordability Care Act, *Public Law 111–148* (2010) (Affordable Care Act) the U.S. Department of Health and Human Services (HHS) is tasked with developing and implementing an internet website portal to assist consumers with identifying affordable and comprehensive health insurance coverage options that are available in their State. Consistent with minimizing burden and providing consistency in data collection, the Centers for Medicare & Medicaid Services (CMS) updates its *HealthCare.gov* collection requirements as regulatory developments occur. There have been no developments since the last approved collection that require changes to the Paperwork Reduction Act (PRA) package. Therefore, we are submitting this request as an extension of the currently approved information collection. *Form Number:* CMS–10320 (OMB control number 0938–1086); *Frequency:* Occasionally; *Affected Public:* State, Local, and Tribal Governments; *Number of Respondents:* 814; *Number of Responses:* 814; *Total Annual Hours:* 50,653. (For questions regarding this collection contact Kimberlee Heckstall at 410–786–1647.)

2. *Type of Information Collection Request:* Reinstatement without change of a previously approved information collection; *Title of Information Collection:* Supporting Statement for Essential Community Provider Data Collection to Support QHP Certification; *Use:* Standards for Essential Community Provider (ECP) requirements are codified at 45 CFR 156.235. Issuers must contract with a certain percentage, as determined by Health and Human Services (HHS), of the available ECPs in the plan's service area. HHS will continue to collect more complete data from such providers so that all issuers are held to a more uniform ECP standard. HHS achieves this outcome by soliciting qualified ECPs throughout the year to complete and submit the ECP application in order to be added to the HHS ECP list or update required data fields to remain on the list. In soliciting updates directly from providers, HHS routinely performs research and outreach to providers on the ECP List to verify information about ECPs collected via the ECP application and annual renewal form. These ongoing efforts will result in a more accurate listing of the universe of available ECPs from which issuers select to satisfy the ECP standard. *Form Number:* CMS–10561 (OMB control number: 0938–1295); *Frequency:* Annually; *Affected Public:* Private Sector—Business or other for-profits and Not-for-profits institutions; *Number of Respondents:* 19,020; *Number of Responses:* 19,020; *Total Annual Hours* 4,913.75. (For questions regarding this collection, contact Samantha Nguyen Kella at 816–426–6339).

3. *Type of Information Collection Request:* New collection (Request for a new OMB control number); *Title of Information Collection:* 13th SOW QIN–QIO and AI/AN Advancing Healthcare Quality through Technology (AHQT) Readiness Assessment; *Use:* This is a new information collection request. The Quality Improvement Network—Quality Improvement Organization (QIN–QIO) program and American Indian/Alaska Native (AI/AN) program assists providers/practices with high-quality, hands-on quality improvement assistance toward meeting their needs, and the healthcare quality and safety goals for beneficiaries. The purpose of this new information collection within these programs is to assess the readiness of participating nursing homes, hospitals, outpatient clinical practices, and AIAN facilities to access, share, and use data electronically for quality improvement and quality reporting. Use of health information technology (HIT) is imperative to assess, monitor, and improve healthcare quality, patient safety, and care coordination.

Many providers/practices continue to lack basic knowledge and capacity to implement HIT to support data exchange between providers/practices, payers, and patients, and to use data for improving quality and outcomes. This ''digital divide'' creates burden for patients, families, caregivers, providers/practices and increases costs and administrative waste. This burden is disproportionate for underserved populations. Advancing the use of technology and using interoperable standards can reduce the overall cost and burden associated with data collection and supports communication across the care continuum and is an agency priority.

CMS has developed a 41-item Assessment of Health care Quality Technical Readiness (AHQT) for use with participating providers/practices under the QIN–QIO 13th SOW. Provider/practice burden associated with the collection and reporting of quality measurement data has historically been a pain point for the QIN–QIO and AI/AN programs, especially in outpatient clinical practices and critical access hospitals; this burden has been a barrier to both achievement of quality improvement contract goals and proper evaluation of their impact.

The results of the assessment will be used to determine which providers/practices may benefit from participation in a technical assistance pilot specific during the QIN–QIO 13th SOW intended to advance provider/practice capacity for engaging in quality improvement and reporting activities facilitated by HIT. *Form Number:* CMS–10916 (OMB control number: 0938–NEW); *Frequency:* Occasionally; *Affected Public:* Private Sector (Business or other for-profit and Not-for-profit institutions); *Number of Respondents:* 53,000; *Total Annual Responses:* 10,600; *Total Annual Hours:* 10,600. (For policy questions regarding this collection contact Geoffrey Berryman at 410–299–7390).

William N. Parham, III,

Director, Division of Information Collections and Regulatory Impacts, Office of Strategic Operations and Regulatory Affairs.

[FR Doc. 2025–15935 Filed 8–20–25; 8:45 am]

BILLING CODE 4120–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2019–N–1875]

Financial Transparency and Efficiency of the Prescription Drug User Fee Act, Biosimilar User Fee Act, and Generic Drug User Fee Amendments; Public Meeting; Request for Comments

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice of public meeting; request for comments.

SUMMARY: The Food and Drug Administration (FDA or the Agency) is announcing the following public meeting entitled ''Financial Transparency and Efficiency of the Prescription Drug User Fee Act, Biosimilar User Fee Act, and Generic Drug User Fee Amendments.'' The topic to be discussed is the financial transparency and efficiency of the Prescription Drug User Fee Act, Biosimilar User Fee Act, and Generic Drug User Fee Amendments.

DATES: The public meeting will be held on September 30, 2025, from 9:30 a.m. to 10:40 a.m. via Microsoft Teams. Either electronic or written comments

on this public meeting must be submitted by October 30, 2025. See the **SUPPLEMENTARY INFORMATION** section for registration date and information.

ADDRESSES: The public meeting will be held as a hybrid event with a virtual option and in-person option at the FDA White Oak Campus, Great Room, Section A.

You may submit comments as follows. Please note that late, untimely filed comments will not be considered. The *https://www.regulations.gov* electronic filing system will accept comments until 11:59 p.m. Eastern Time at the end of October 30, 2025. Comments received by mail/hand delivery/courier (for written/paper submissions) will be considered timely if they are received on or before that date.

Electronic Submissions

Submit electronic comments in the following way:

- *Federal eRulemaking Portal: https://www.regulations.gov.* Follow the instructions for submitting comments. Comments submitted electronically, including attachments, to *https://www.regulations.gov* will be posted to the docket unchanged. Because your comment will be made public, you are solely responsible for ensuring that your comment does not include any confidential information that you or a third party may not wish to be posted, such as medical information, your or anyone else's Social Security number, or confidential business information, such as a manufacturing process. Please note that if you include your name, contact information, or other information that identifies you in the body of your comments, that information will be posted on *https://www.regulations.gov.*
- If you want to submit a comment with confidential information that you do not wish to be made available to the public, submit the comment as a written/paper submission and in the manner detailed (see ''Written/Paper Submissions'' and ''Instructions'').

Written/Paper Submissions

Submit written/paper submissions as follows:

- *Mail/Hand Delivery/Courier (for written/paper submissions):* Dockets Management Staff (HFA–305), Food and Drug Administration, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852.
- For written/paper comments submitted to the Dockets Management Staff, FDA will post your comment, as well as any attachments, except for information submitted, marked and identified, as confidential, if submitted as detailed in ''Instructions.''

Instructions: All submissions received must include the Docket No. FDA–2019–N–1875 for ''Financial Transparency and Efficiency of the Prescription Drug User Fee Act, Biosimilar User Fee Act, and Generic Drug User Fee Amendments; Public Meeting; Request for Comments.'' Received comments, those filed in a timely manner (see **ADDRESSES**), will be placed in the docket and, except for those submitted as ''Confidential Submissions,'' publicly viewable at *https://www.regulations.gov* or at the Dockets Management Staff between 9 a.m. and 4 p.m., Monday through Friday, 240–402–7500.

- Confidential Submissions—To submit a comment with confidential information that you do not wish to be made publicly available, submit your comments only as a written/paper submission. You should submit two copies total. One copy will include the information you claim to be confidential with a heading or cover note that states ''THIS DOCUMENT CONTAINS CONFIDENTIAL INFORMATION.'' The Agency will review this copy, including the claimed confidential information, in its consideration of comments. The second copy, which will have the claimed confidential information redacted/blacked out, will be available for public viewing and posted on *https://www.regulations.gov.* Submit both copies to the Dockets Management Staff. If you do not wish your name and contact information to be made publicly available, you can provide this information on the cover sheet and not in the body of your comments and you must identify this information as ''confidential.'' Any information marked as ''confidential'' will not be disclosed except in accordance with 21 CFR 10.20 and other applicable disclosure law. For more information about FDA's posting of comments to public dockets, see 80 FR 56469, September 18, 2015, or access the information at: *https://www.govinfo.gov/content/pkg/FR-2015-09-18/pdf/2015-23389.pdf.*

Docket: For access to the docket to read background documents or the electronic and written/paper comments received, go to *https://www.regulations.gov* and insert the docket number, found in brackets in the heading of this document, into the ''Search'' box and follow the prompts and/or go to the Dockets Management Staff, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852, 240–402–7500.

FOR FURTHER INFORMATION CONTACT: Kichelle Joseph, Office of Finance, Budget, Acquisitions, and Planning, Food and Drug Administration, 4041 Powder Mill Rd., Rm. 72064, Beltsville, MD 20705, 301–796–7251, *OFBABusinessManagementServices@fda.hhs.gov.*

SUPPLEMENTARY INFORMATION:

I. Background

The meeting will include presentations from FDA on: (1) the 5-year plan for the Prescription Drug User Fee Act (PDUFA) VII, Biosimilar User Fee Act (BsUFA) III, and Generic Drug User Fee Amendments (GDUFA) III; and (2) the Agency's progress in implementing resource capacity planning as part of fee setting and modernized time reporting. This meeting is intended to satisfy FDA's commitment to host an annual public meeting in the third quarter of each fiscal year and can be found in the Commitment Letters listed below (sections II.B.2 of PDUFA VII (p. 58), III.B.2 of BsUFA III (p. 33), and VIII.D.3 of GDUFA III (p. 40–41)).

PDUFA VII, BsUFA III, and GDUFA III represent the reauthorization of these user fee programs for FYs 2023–2027 as part of the FDA User Fee Reauthorization Act of 2022, which was signed by the President on September 30, 2022. The complete set of performance goals for each program are available at:

- *PDUFA VII: https://www.fda.gov/media/151712/download.*
- *BsUFA III: https://www.fda.gov/media/152279/download.*
- *GDUFA III: https://www.fda.gov/media/153631/download.*

Each of these user fee programs' Commitment Letters included a set of commitments related to financial management. These included commitments to publish a 5-year financial plan and update that plan annually, continue activities to mature FDA's resource capacity planning capability, and modernize time reporting practices. In addition, each user fee program includes a commitment to host a public meeting in the third quarter of each fiscal year to discuss specific topics.

II. Topics for Discussion at the Public Meeting

This meeting will provide FDA with the opportunity to update interested public stakeholders on topics related to the financial management of PDUFA VII, BsUFA III, and GDUFA III. These topics include the 5-year financial plans for each of these programs and FDA's progress toward implementing resource capacity planning as part of fee setting and modernized time reporting.

III. Participating in the Public Meeting

Registration: To register for the public meeting, please visit the following website: *https://events.gcc.teams.microsoft.com/event/516d6231-aede-4035-88cd-c307c6dda9a5@7d2fdb41-339c-4257-87f2-a665730b31fc.* Please provide complete contact information for each attendee, including name, title, affiliation, and email.

Persons interested in attending this public meeting must register by September 20, 2025 at 11:59 p.m. Eastern Time. If registration closes before the day of the public meeting, the Webinar Registration website will be updated.

If you need special accommodations due to a disability, please indicate this during registration or contact Kichelle Joseph at *OFBABusinessManagementServices@fda.hhs.gov* no later than September 20, 2025.

Streaming Webcast of the Public Meeting: This public meeting will be webcast. To register for the public meeting and obtain the webcast information, please visit the following website: *https://events.gcc.teams.microsoft.com/event/516d6231-aede-4035-88cd-c307c6dda9a5@7d2fdb41-339c-4257-87f2-a665730b31fc.*

Transcripts: Please be advised that as soon as a transcript of the public meeting is available, it will be accessible at *https://www.regulations.gov.* It may also be viewed at the Dockets Management Staff (see **ADDRESSES**).

Dated: August 15, 2025.

Grace R. Graham,

Deputy Commissioner for Policy, Legislation, and International Affairs.

[FR Doc. 2025–15936 Filed 8–20–25; 8:45 am]

BILLING CODE 4164–01–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. 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 open session will be videocast and can be accessed from the NIH Videocasting website (*http://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: June 5, 2026.

Closed: 10:00 a.m. to 1:30 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, Room 2A03, 31 Center Drive, Bethesda, MD 20892 (Virtual Meeting).

Open: 1:30 p.m. to 3:45 p.m.

Agenda: 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, Room 2A03, 31 Center Drive, 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, 10 Center Drive, Room 10D39, 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: August 19, 2025.

Bruce A. George,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2025–16001 Filed 8–20–25; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Docket ID: FEMA–2025–0114; OMB No. 1660–0024]

Agency Information Collection Activities: Proposed Collection, Comment Request; Federal Assistance for Offsite Radiological Emergency Preparedness and Planning

AGENCY: Federal Emergency Management Agency, Department of Homeland Security.

ACTION: 60-Day notice of extension and request for comments.

SUMMARY: The Federal Emergency Management Agency (FEMA), as part of its continuing effort to reduce paperwork and respondent burden, invites the general public to take this opportunity to comment on an extension of a currently approved information collection. In accordance with the requirements of the Paperwork Reduction Act of 1995, this notice seeks comments concerning all information collections related to FEMA Radiological Emergency Preparedness Program requirements.

DATES: Comments must be submitted on or before October 20, 2025.

ADDRESSES: To avoid duplicate submissions to the docket, please submit comments at *http://www.regulations.gov* under Docket ID FEMA–2025–0114. Follow the instructions for submitting comments.

All submissions received must include the Agency name and Docket ID. Regardless of the method used to submitting comments or material, all submissions will be posted, without change, to the Federal eRulemaking Portal at *http://www.regulations.gov,* and will include any personal information you provide. Therefore, submitting this information makes it public. You may wish to read the Privacy and Security Notice that is available via a link on the homepage of *http://www.regulations.gov.*

FOR FURTHER INFORMATION CONTACT: Renae Connell, Emergency Management Specialist, FEMA/National Preparedness Division (NPD)/ Technological Hazards Division (THD), 202.657.2294 and *renae.connell@fema.dhs.gov* . You may contact the Information Management Division for copies of the proposed collection of information at email address: *FEMA-Information-Collections-Management@fema.dhs.gov.*

SUPPLEMENTARY INFORMATION: Overview: Federal Emergency Management Agency (FEMA) runs the Radiological Emergency Preparedness (REP) Program. This program helps state, tribal, and local governments plan, train, and prepare for emergencies involving commercial nuclear power facilities. It ensures that these governments can respond to and recover from such incidents. Legal Background: Section 109 of the NRC Authorization Act of 1980 (Pub. L. 96–295) requires the Nuclear Regulatory Commission (NRC) to include emergency preparedness as a condition for licensing nuclear power plants. This means that before a plant can operate, there must be an emergency response plan that meets FEMA and NRC standards. If there is no state or local plan, an alternative plan must provide reasonable assurance that public health and safety are protected. Regulations: The NRC has set regulations in 10 CFR part 50, which include 16 planning standards for emergency plans. FEMA has similar standards in 44 CFR part 350. FEMA reviews offsite emergency plans and preparedness in communities around commercial nuclear power facilities. States must conduct joint exercises involving local governments, the state, and the NRC licensee to ensure these plans are effective (see 44 CFR part 350.9). Reasonable Assurance: FEMA defines ''reasonable assurance'' as having adequate plans and preparedness to protect public health and safety in the event of an incident at a commercial nuclear power facility. This includes having the right procedures, trained personnel, facilities, equipment, and regular drills and exercises. FEMA works with other Federal agencies, State, Tribal, and local governments, and industry stakeholders to make this determination. Voluntary Participation: While participation in offsite radiological emergency planning is voluntary, those who choose to participate must follow the program requirements in 44 CFR part 350 and the joint NRC/FEMA document NUREG–0654/FEMA–REP–1, Rev. 2, ''Criteria for Preparation and Evaluation of Radiological Emergency Response Plans and Preparedness in Support of Nuclear Power Plants,'' and the REP Program Manual (RPM) provides detailed guidance on these requirements.

Collection of Information

Title: Federal Assistance for Offsite Radiological Emergency Preparedness and Planning.

Type of Information Collection: Extension, without change, of a currently approved information collection.

OMB Number: 1660–0024.

FEMA Forms: There are no forms for this collection; rather the regulatory text details the content in which information is transmitted to FEMA.

Abstract: The intent of this request is to collect comments on the extension, without change, of a currently approved information collection under an OMB control number. This control number represents all information collections related to FEMA REP Program requirements described in 44 CFR parts 350 and 352.

Affected Public: State, Local or Tribal Government.

Estimated Number of Respondents: 104.

Estimated Number of Responses: 104.

Estimated Total Annual Burden Hours: 3,400.

Estimated Total Annual Respondent Cost: $258,706.

Estimated Respondents' Operation and Maintenance Costs: $0.

Estimated Respondents' Capital and Start-Up Costs: $0.

Estimated Total Annual Cost to the Federal Government: $736,064.

Comments

Comments may be submitted as indicated in the **ADDRESSES** caption above. Comments are solicited to (a) evaluate whether the proposed data collection is necessary for the proper performance of the Agency, including whether the information shall have practical utility; (b) evaluate the accuracy of the Agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used; (c) enhance the quality, utility, and clarity of the information to be collected; and (d) minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of responses.

Russell R. Bard,

Acting Senior Director for Information Management, Office of the Chief Administrative Officer, Mission Support, Federal Emergency Management Agency, Department of Homeland Security.

[FR Doc. 2025–16016 Filed 8–20–25; 8:45 am]

BILLING CODE 9111–21–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Docket ID: 2025–0113; OMB No. 1660–0073]

Agency Information Collection Activities: Proposed Collection; Comment Request; National Urban Search and Rescue Response System

AGENCY: Federal Emergency Management Agency, Department of Homeland Security.

ACTION: 60 day notice of extension and request for comments.

SUMMARY: The Federal Emergency Management Agency (FEMA), as part of its continuing effort to reduce paperwork and respondent burden, invites the general public to take this opportunity to comment on an extension, without change, of a currently approved information collection. In accordance with the Paperwork Reduction Act of 1995, this notice seeks comments concerning the National Urban Search and Rescue Response System to perform work on public or private lands essential to save lives and protect property, including search and rescue and emergency medical care, and other essential needs.

DATES: Comments must be submitted on or before October 20, 2025.

ADDRESSES: To avoid duplicate submissions to the docket, please only submit comments at *www.regulations.gov* under Docket ID FEMA–2025–0113. Follow the instructions for submitting comments.

All submissions received must include the agency name and Docket ID. Regardless of the method used for submitting comments or material, all submissions will be posted, without change, to the Federal eRulemaking Portal at *http://www.regulations.gov,* and will include any personal information you provide. Therefore, submitting this information makes it public. You may wish to read the Privacy and Security Notice that is available via a link on the homepage of *www.regulations.gov*.

FOR FURTHER INFORMATION CONTACT: Catherine Deel, Chief, Finance and Administration Section, US&R Branch, FEMA, Response Directorate, Operations Division at *catherine.deel@fema.dhs.gov* or (202) 701–5566. You may contact the Information Management Division for copies of the proposed collection of information at email address: *FEMA-Information-Collections-Management@fema.dhs.gov*.

SUPPLEMENTARY INFORMATION: Section 303 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act), 42 U.S.C. 5144, authorizes the President of the United States to form emergency support teams of Federal personnel to be deployed to an area affected by a major disaster or emergency. Section 403(a)(3)(B) of the Stafford Act provides that the President may authorize Federal departments and agencies to perform work on public or private lands essential to save lives and protect property, including search and rescue and emergency medical care, and other essential needs. Section 327 of the Stafford Act further authorizes the National Urban Search and Rescue Response System (''the System'') and outlines the Administrator's authorization to designate teams as well as outlines specific protections for System members. The information collection activity is authorized under the Office of Management and Budget's ''Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards'' codified at 2 CFR part 200. The collection contains information from the programmatic and administrative activities of the Urban Search and Rescue Sponsoring Agencies relating to the Readiness and Response Cooperative Agreement awards.

Collection of Information

Title: National Urban Search and Rescue Response System.

Type of Information Collection: Extension, without change, of a currently approved information collection.

OMB Number: 1660–0073.

FEMA Forms: FEMA Form FF–104–FY–21–174 (formerly 089–0–10), Urban Search Rescue Response System Narrative Statement Workbook; FEMA Form FF–104–FY–21–175 (formerly 089–0–11), Urban Search Rescue Response System Semi-Annual Performance Report; FEMA Form FF–104–FY–21–176 (formerly 089–0–12), Urban Search Rescue Response System Amendment Form; FEMA Form FF–104–FY–21–177 (formerly 089–0–14), Urban Search Rescue Response System Task Force Self-Evaluation Scoresheet; FEMA Form FF–104–FY–21–179 (formerly 089–0–26), Vehicle Support Unit Purchase/Replacement/Disposal Justification.

Abstract: The information collection activity is the collection of program and administrative information from 28 established Urban Search and Rescue Sponsoring Agencies relating to the Readiness and Response Cooperative Agreement awards. This information includes a narrative statement used to evaluate grantees' proposed use of funds, progress reports to monitor progress on Cooperative Agreements, amendment requests to change scope and period of performance and approval for vehicle purchase.

Affected Public: State, Local, or Tribal Governments.

Estimated Number of Respondents: 126.

Estimated Number of Responses: 182.

Estimated Total Annual Burden Hours: 364.

Estimated Total Annual Respondent Cost: $23,693.

Estimated Respondents' Operation and Maintenance Costs: $0.

Estimated Respondents' Capital and Start-Up Costs: $0.

Estimated Total Annual Cost to the Federal Government: $141,873.

Comments

Comments may be submitted as indicated in the **ADDRESSES** caption above. Comments are solicited to (a) evaluate whether the proposed data collection is necessary for the proper performance of the Agency, including whether the information shall have practical utility; (b) evaluate the accuracy of the Agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used; (c) enhance the quality, utility, and clarity of the information to be collected; and (d) minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of responses.

Russell R. Bard,

Acting Senior Director for Information Management, Office of the Chief Administrative Officer, Mission Support, Federal Emergency Management Agency, Department of Homeland Security.

[FR Doc. 2025–16015 Filed 8–20–25; 8:45 am]

BILLING CODE 9111–54–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Docket ID: FEMA–2025–0012; OMB No. 1660–0062]

Agency Information Collection Activities: Submission for OMB Review, Comment Request; State/Local/Tribal Hazard Mitigation Plans

AGENCY: Federal Emergency Management Agency, Department of Homeland Security.

ACTION: 30-Day notice of extension and request for comments.

SUMMARY: The Federal Emergency Management Agency (FEMA) will submit the information collection abstracted below to the Office of Management and Budget (OMB) for review and clearance in accordance with the requirements of the Paperwork Reduction Act of 1995. FEMA invites the general public to take this opportunity to comment on an extension of a currently approved information collection. In accordance with the requirements of the Paperwork Reduction Act of 1995, this notice seeks comments concerning the nature of the information collection, the categories of respondents, the estimated burden (*i.e.,* the time, efforts and resources used by respondents to respond) and cost, and actual data collection instruments FEMA will use regarding the state, local, tribal and territorial hazard mitigation plan development or update process.

DATES: Comments must be submitted on or before September 22, 2025.

ADDRESSES: Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to *www.reginfo.gov/public/do/PRAMain.* Find this particular information collection by selecting ''Currently under 30-day Review—Open for Public Comments'' or by using the search function.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the information collection should be made to Director, Information Management Division, 500 C Street SW, Washington, DC 20472, email address *FEMA-Information-Collections-Management@fema.dhs.gov* or Amanda Smith, Acting Division Director, Community Planning Division, Hazard Mitigation Directorate, Resilience, FEMA; (202) 641–1686; *Amanda.Smith@fema.dhs.gov.*

SUPPLEMENTARY INFORMATION: Section 322 of the Robert T. Stafford Disaster

Relief and Emergency Assistance Act (Stafford Act), 42 U.S.C. 5165, as amended by the Disaster Mitigation Act of 2000 (DMA 2000) (Pub. L. 106–390), provided the initial framework for linking pre-and post-disaster mitigation planning and initiatives with public and private interests to ensure an integrated, comprehensive approach to disaster loss reduction. Since DMA 2000 amended the Stafford Act, additional laws were passed to help shape hazard mitigation policy. These revisions are included in the Sandy Recovery Improvement Act of 2013, the National Flood Insurance Act of 1968, and the Water Infrastructure Improvements for the Nation Act of 2016. Title 44 Code of Federal Regulations (CFR) Part 201 provides the mitigation planning requirements for state, local, tribal, and territorial governments to identify the natural hazards that impact them, to identify actions and activities to reduce any losses from hazards, and to establish a coordinated process to implement the plan, taking advantage of a wide range of resources. State, local, and Tribal mitigation planning policies provide further guidance regarding mitigation plan development or update, review, and approval.

This proposed information collection was previously published in the **Federal Register** on April 30, 2025, at 90 FR 17945 with a 60-day public comment period. FEMA received seven public comments. Five of the anonymously submitted comments shared general program feedback on the value of hazard mitigation planning. FEMA acknowledges and appreciates these comments. Two comments specifically mentioned administrative burden for plan updates. FEMA acknowledges and appreciates the comments made; the feedback is being taken under consideration for future policy updates. The purpose of this notice is to notify the public that FEMA will submit the information collection abstracted below to the Office of Management and Budget for review and clearance.

Collection of Information

Title: State/Local/Tribal Hazard Mitigation Plans.

Type of Information Collection: Extension of a currently approved information collection.

OMB Number: 1660–0062.

FEMA Forms: Not applicable.

Abstract: In order to be eligible for certain types of FEMA non-emergency assistance, state, local, tribal, and territorial governments are required to have a current FEMA-approved hazard mitigation plan that meets the criteria established in 44 CFR part 201 and applicable mitigation planning policies.

Affected Public: State, Local, and Tribal Governments.

Estimated Number of Respondents: 224.

Estimated Number of Responses: 1,243.

Estimated Total Annual Burden Hours: 219,156.

Estimated Total Annual Respondent Cost: $15,316,813.

Estimated Respondents' Operation and Maintenance Costs: $53,393,717.

Estimated Respondents' Capital and Start-Up Costs: $8,855,000.

Estimated Total Annual Cost to the Federal Government: $2,072,906.

Comments

Comments may be submitted as indicated in the **ADDRESSES** caption above. Comments are solicited to (a) evaluate whether the proposed data collection is necessary for the proper performance of the Agency, including whether the information shall have practical utility; (b) evaluate the accuracy of the Agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used; (c) enhance the quality, utility, and clarity of the information to be collected; and (d) minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of responses.

Russell R. Bard,

Acting Senior Director for Information Management, Office of the Chief Administrative Officer, Mission Support, Federal Emergency Management Agency, Department of Homeland Security.

[FR Doc. 2025–16017 Filed 8–20–25; 8:45 am]

BILLING CODE 9110–12–P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR–6563–N–01]

30-Day Notice Waiver for Fair Housing Initiatives Program NOFOs; Notice of Waiver

AGENCY: Office of the Deputy Secretary, HUD.

ACTION: Notice of waiver.

SUMMARY: This notice announces a waiver, granted by the Secretary, through the Deputy Secretary, of the minimum 30-day application period required under section 102(a) of the HUD Reform Act for four Fair Housing Initiatives Program (FHIP) notices of funding opportunities (NOFOs), which were published on HUD's website on July 29, 2025 (FR–6900–N–21–A, FR–6900–N–21–B, FR–6900–N–21–C, and FR–6900–N–71–A).

FOR FURTHER INFORMATION CONTACT: For information regarding this notice, contact Melody C. Taylor, Acting Deputy Assistant Secretary for Enforcement and Programs, Office of Fair Housing and Equal Opportunity, Department of Housing and Urban Development, 451 7th Street SW, Washington, DC 20011; telephone number 202–213–5340 (this is not a toll-free number); email *Melody.C.Taylor@hud.gov.* HUD welcomes and is prepared to receive calls from individuals who are deaf or hard of hearing, as well as individuals with speech and communication disabilities. To learn more about how to make an accessible telephone call, please visit *https://www.fcc.gov/consumers/guides/telecommunications-relay-service-trs.*

SUPPLEMENTARY INFORMATION: Section 102(a) of the HUD Reform Act (42 U.S.C. 3545(a)) sets out the requirements for notice to the public regarding assistance available from HUD. Section 102(a)(3) requires publication of selection criteria not less than 30 days before the deadline for applications or requests for assistance. On July 29, 2025, the Department published four NOFOs for FHIP (the FHIP Education and Outreach Initiative (FR–6900–N–21–A); the FHIP—Fair Housing Organizations Initiative (FHOI) (FR–6900–N–21–B); the FHIP—Private Enforcement Initiative (PEI) (FR–6900–N–21–C); and the FHIP—Education and Outreach Initiative—Test Coordinator (FR–6900–N–71–A)) announcing the availability of over $22 million in Fiscal Year 2024 FHIP funds, which were appropriated in the Consolidated Appropriations Act, 2024 (Pub. L. 118–42).

The July 29, 2025, NOFOs announced a funding application deadline of 11:59 p.m. EST on August 21, 2025. The period was less than the 30-day minimum application requirement under section 102(a)(3). Section 102(a)(5) of the Reform Act permits the Secretary to waive the minimum 30-day application period ''if the Secretary determines that the waiver is required for appropriate response to an emergency.'' The Secretary is also required to publish, in the **Federal Register**, the reasons for granting such a waiver.

The Secretary has granted a waiver of the 30-day minimum application requirement for the four previously referenced NOFOs. It was necessary for the Department to establish a slightly shortened application period for these NOFOs to address certain exigent and emergency circumstances. Specifically, HUD is required by statute to obligate the FHIP funds before they expire on September 30, 2025. Given that several activities must occur prior to obligating this funding, such as conducting eligibility and merit reviews, formulating award recommendations, and allowing time for HUD leadership to review award recommendations and make award determinations, HUD must ensure that there is adequate time for HUD to complete all necessary actions before the statutory deadline.

Due to the change in administration, HUD needed to review the prior administration's grantmaking practices for compliance with new Executive Orders and to align those practices with the current administration's Executive Orders and policies. Such review was time-intensive, including various consultations and approvals, and included revising HUD's NOFO template. This led to the four FHIP NOFOs, originally published in September 2024, being republished in July 2025 using language consistent with current Executive Orders and administration policies. Even if the above could have been conducted faster (which HUD does not concede), that would not change the reality that, at the current time, a shortened application period is necessary to ensure compliance with the statutorily-required September 30, 2025, deadline for obligation of funding.

Further, the limited reduction of the application period—from 30 to 23 days—is not a significant time reduction for application preparation purposes. A 23-day application period is a sufficient amount of time to apply to these long-standing FHIP programs. Further, any potential adverse impact on the applicants is mitigated by the fact that many (if not all) applicants will only need to update their prior applications for the September 2024 NOFOs.

As such, the circumstances demonstrated that an emergency existed that justified the granting of a waiver of the 30-day application period required under section 102(a) of the HUD Reform Act.

Andrew Hughes,

Deputy Secretary.

[FR Doc. 2025–16021 Filed 8–20–25; 8:45 am]

BILLING CODE 4210–67–P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[Docket No. FWS–R4–ES–2025–0042; FXES11140400000–256–FF04AL4000]

Receipt of Two Incidental Take Permit Applications for Participation in the General Conservation Plan for the Alabama Beach Mouse; Categorical Exclusion; Baldwin County, AL

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of availability; request for comment.

SUMMARY: We, the Fish and Wildlife Service (Service), announce receipt of an application from Lydia Carpenter and one from Joshua Milligan 1031, LLC (applicant/applicants) for two separate incidental take permits (ITP) pursuant to the Endangered Species Act (ESA) and the National Environmental Policy Act under the approved General Conservation Plan (GCP) and final environmental impact statement (FEIS) for the Alabama beach mouse. A GCP is a mechanism that meets the definition of a conservation plan in the ESA and enables the programmatic permitting and conservation process to address a defined suite of proposed activities over a defined planning area. Each applicant requests an ITP to take the federally listed Alabama beach mouse incidental to the construction of a single-family home in Baldwin County, Alabama. We request public comment on these applications, which include the applicants' proposed habitat conservation plan (HCP) and on the Service's preliminary determination that the proposed permitting action may qualify under the terms of the Alabama beach mouse GCP. We certify that the applications received are statutorily complete and include the necessary information to enroll in the GCP.

DATES: We must receive your written comments on or before September 22, 2025.

ADDRESSES:

Obtaining Documents: The documents this notice announces, as well as any comments and other materials that we receive, will be available for public inspection online in Docket No. FWS–R4–ES–2025–0042 at *https://www.regulations.gov.*

Submitting Comments: If you wish to submit comments on any of the documents, you may do so in writing by one of the following methods:

- *Online: https://www.regulations.gov.* Follow the instructions for submitting comments on Docket No. FWS–R4–ES–2025–0042.
- *U.S. Mail:* Public Comments Processing, Attn: Docket No. FWS–R4–ES–2025–0042; U.S. Fish and Wildlife Service, MS: PRB/3W, 5275 Leesburg Pike, Falls Church, VA 22041–3803.

FOR FURTHER INFORMATION CONTACT: William Lynn, by U.S. mail (see **ADDRESSES**), by telephone at 1–251–538–2065, or via email at *william_lynn@fws.gov.* Individuals in the United States who are deaf, deafblind, hard of hearing, or have a speech disability may dial 711 (TTY, TDD, or TeleBraille) to access telecommunications relay services. Individuals outside the United States should use the relay services offered within their country to make international calls to the point-of-contact in the United States.

SUPPLEMENTARY INFORMATION: We, the Fish and Wildlife Service, announce receipt of an application under the approved GCP for the Alabama beach mouse from Lydia Carpenter and an application from Joshua Milligan 1031, LLC for an ITP under the Endangered Species Act, as amended (ESA; 16 U.S.C. 1531 *et seq.*). Each applicant requests an ITP to take the federally listed Alabama beach mouse (*Peromyscus polionotus ammobates*). One applicant will take Alabama beach mice (ABM) incidental to the construction, maintenance, and operation of a deck with a pool while the other will take ABM incidental to construction of a single-family home in Baldwin County, Alabama. We request public comment on the application, the applicants' HCPs, and on the Service's preliminary determination that these proposed ITPs may qualify for a categorical exclusion under the GCP and FEIS for the Alabama beach mouse published on March 28, 2012 (FWS–R4–ES–2012–N063).

Proposed Projects

Permit Number: PER16528606

The applicant Lydia Carpenter requests a 50-year ITP to take ABM via the conversion of 0.015 acres (ac) of occupied nesting, foraging, and sheltering habitat incidental to the construction of a deck with pool to an existing house on a 0.460-ac parcel located at 5609 Beach Boulevard in Gulf Shores, Alabama. The applicant proposes to mitigate for the take of ABM through an in-lieu fee of $1,476.60 to the Alabama Coastal Heritage Trust's ABM conservation fund.

Permit Number: PER18606066

Applicant Joshua Milligan 1031, LLC requests a 50-year ITP to take ABM via the conversion of approximately 0.036 acre (ac) of occupied nesting, foraging,

and sheltering habitat via the tear down, enlargement, and reconstruction of a single-family home on a 0.413-ac lot. The parcel is located at 5465 Beach Boulevard in Gulf Shores, Alabama. The applicant proposes to mitigate for the take of ABM through an in-lieu fee of $3,590.30 to the Alabama Coastal Heritage Trust's ABM conservation fund.

Our Preliminary Determination

The Service has made a preliminary determination that reasonably foreseeable effects of the applicants' proposed projects, including the construction of a deck with a pool and a single-family home and associated infrastructure (*e.g.,* electric, water, and sewer lines), would have a minor effect on ABM and the human environment. Therefore, we have preliminarily determined that the proposed ESA section 10(a)(1)(B) permit would meet the requirements of the GCP and FEIS.

Next Steps

The Service will evaluate the application and the comments to determine whether to issue the requested ITP. We will also conduct an intra-Service consultation pursuant to section 7 of the ESA to evaluate the effects of the proposed take. After considering the preceding and other matters, we will determine whether the permit issuance criteria of section 10(a)(1)(B) of the ESA have been met. If met, the Service will issue ITP number PER16528606 to Lydia Carpenter and ITP number PER18606066 to Joshua Milligan 1031, LLC.

Public Availability of Comments

Before including your address, phone number, email address, or other personal identifying information in your comment, be aware that your entire comment, including your personal identifying information, may be made available to the public. If you submit a comment at *https://www.regulations.gov,* your entire comment, including any personal identifying information, will be posted on the website. If you submit a hardcopy comment that includes personal identifying information, such as your address, phone number, or email address, you may request at the top of your document that we withhold this information from public review. However, we cannot guarantee that we will be able to do so. Moreover, all submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, will be made available for public disclosure in their entirety.

Authority

The Service provides this notice under section 10(c) of the ESA (16 U.S.C. 1531 *et seq.*) and its implementing regulations (50 CFR 17.32), National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*), as amended, and the Department of the Interior's implementing regulations (43 CFR part 46).

William J. Pearson,

Field Supervisor, Alabama Ecological Service Field Office.

[FR Doc. 2025–15979 Filed 8–20–25; 8:45 am]

BILLING CODE 4333–15–P

DEPARTMENT OF THE INTERIOR

Office of the Secretary

[25XD4523WS/DWSN00000.000000/DS61500000/DP.61501]

Notice of Public Meeting of the Invasive Species Advisory Committee

AGENCY: National Invasive Species Council, Interior.

ACTION: Notice of public meeting.

SUMMARY: Pursuant to the provisions of the Federal Advisory Committee Act, notice is hereby given that a meeting of the Invasive Species Advisory Committee (ISAC) will meet as indicated below.

DATES: The Invasive Species Advisory Committee will convene by Zoom virtual platform on Tuesday, September 9, 2025, 1:00 p.m.–6:00 p.m. (EDT); Wednesday, September 10, 2025, 1:00 p.m.–6:00 p.m. (EDT); and, Thursday, September 11, 2025; 1:00 p.m.–6:00 p.m. (EDT).

ADDRESSES: The final agenda, Zoom URL and dial in information will be available on the National Invasive Species Council (NISC) website at least 48 hours in advance of the meeting at *https://www.invasivespecies.gov.*

FOR FURTHER INFORMATION CONTACT: For information concerning attending the ISAC meeting, submitting written comments to the ISAC, or requesting to address the ISAC, contact Kelsey Brantley, NISC Operations Director and ISAC Coordinator, National Invasive Species Council Staff, telephone (202) 577–7012; fax: (202) 208–4118, or email *kelsey_brantley@ios.doi.gov.*

Individuals in the United States who are deaf, deafblind, hard of hearing, or have a speech disability may dial 711 (TTY, TDD, or TeleBille) 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: The purpose of the ISAC is to provide advice to the NISC, as authorized by Executive Orders 13112 and 13751, on a broad array of issues related to preventing the introduction of invasive species and providing for their control and minimizing the economic, ecological, and human health impacts that invasive species cause. The Secretaries of the Interior, Agriculture, and Commerce co-chair the NISC. The NISC provides national leadership regarding invasive species issues.

The purpose of a virtual meeting on Tuesday, September 9, 2025, through Thursday, September 11, 2025, is to convene the full ISAC to finalize and formally approve guidance developed by its subcommittees on two (2) topics requested by NISC: 1) the impacts of invasive species on food security; and 2) the impacts of invasive species on marine biosecurity.

Meeting Agenda: The meeting agenda will consist of an opening session with remarks from NISC member agencies, updates on priority NISC and NISC member agency activities, presentation of outputs from the ISAC's two subcommittees, continued deliberations by the subcommittees on outstanding issues, and full committee deliberations on formal adoption of the outputs. Opportunities for public comment will be provided before the conclusion of each meeting day.

The final agenda and other reference documents for discussion during the meeting will be available for public viewing as they become available, but no later than 48 hours prior to the start of the meeting at *https://www.invasivespecies.gov.*

Meeting Registration: All meeting participants and interested members of the public must register at *https://forms.office.com/g/waKfikUSSq* to attend the meeting virtually. Due to the limited connections available for virtual observation, individuals must register no later than Monday, September 8, 2025, 3:00 p.m. (ET).

Interested members of the public may provide either oral or written comments to ISAC for consideration. Oral comments may be given during designated times as specified in the meeting agenda. Written comments must be submitted by email to Kelsey Brantley at *kelsey_brantley@ios.doi.gov,* no later than Monday, September 8, 2025, 3:00 p.m. (ET). All written

comments will be provided to members of the ISAC. Individuals who wish to expand upon their oral statements, or those who intended to speak but could not be accommodated on the agenda, may submit written comments to Kelsey Brantley at *kelsey_brantley@ios.doi.gov,* up to 30 days following the meeting.

All comments will be included in the public record and will be electronically distributed to all ISAC members. The detailed meeting minutes will be available for public inspection within 90 days of the meeting.

Meeting Accessibility/Special Accommodations: The meeting is open to the public. Registration is required (see *Meeting Registration* above). Please make requests in advance for sign language interpreter services, assistive listening devices, or other reasonable accommodations. We kindly request that you contact Kelsey Brantley at *kelsey_brantley@ios.doi.gov,* at least seven (7) business days prior to the meeting to ensure the Department of the Interior has sufficient time to process your request. All reasonable accommodation requests are managed on a case-by-case basis.

Public Disclosure of Comments: Before including your address, phone number, email address, or other personal identifying information in your written comments, you should be aware that your entire comment, including your personal identifying information, will be made publicly available. While you may request in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Authority: 5 U.S.C. Ch. 10.

Stanley W. Burgiel,

Executive Director, National Invasive Species Council.

[FR Doc. 2025–16028 Filed 8–20–25; 8:45 am]

BILLING CODE 4334–63–P

DEPARTMENT OF THE INTERIOR

National Park Service

[N6436; NPS–WASO–NAGPRA–NPS0040846; PPWOCRADN0–PCU00RP14.R50000]

Notice of Inventory Completion: Kansas State Historical Society, Topeka, KS

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), the Kansas State Historical Society (KSHS) has completed an inventory of human remains and associated funerary objects and has determined that there is a cultural affiliation between the human remains and associated funerary objects and Indian Tribes or Native Hawaiian organizations in this notice.

DATES: Repatriation of the human remains and associated funerary objects in this notice may occur on or after September 22, 2025.

ADDRESSES: Send written requests for repatriation of the human remains and associated funerary objects in this notice to Dr. Nicole Klarmann, Kansas State Historical Society, 6425 SW 6th Avenue, Topeka, KS 66615–1099, email *kshs.nagpra@ks.gov.*

SUPPLEMENTARY INFORMATION: This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA. The determinations in this notice are the sole responsibility of the KSHS, and additional information on the determinations in this notice, including the results of consultation, can be found in its inventory or related records. The National Park Service is not responsible for the determinations in this notice.

Abstract of Information Available

Human remains representing, at least, 10 individuals have been identified from the Curry site (14GR301) in Greenwood County, KS (UBS 1991–47). The 444 associated funerary objects are stone and shell disc beads, stone and bone tools, non-human bone, and a beaver tooth. These human remains and objects were first removed by the landowner and then by KSHS in 1966. To our knowledge, no known hazardous substances were used to treat any of the human remains or associated funerary objects.

Cultural Affiliation

Based on the information available and the results of consultation, cultural affiliation is reasonably identified by the geographical location or acquisition history of the human remains and associated funerary objects described in this notice.

Determinations

The KSHS has determined that:

- The human remains described in this notice represent the physical remains of 10 individuals of Native American ancestry.
- The 444 objects described in this notice are reasonably believed to have been placed intentionally with or near individual human remains at the time of death or later as part of the death rite or ceremony.
- There is a connection between the human remains and associated funerary objects described in this notice and the Nez Perce Tribe; Pawnee Nation of Oklahoma; and the Wichita and Affiliated Tribes (Wichita, Keechi, Waco, & Tawakonie), Oklahoma.

Requests for Repatriation

Written requests for repatriation of the human remains and associated funerary objects in this notice must be sent to the authorized representative identified in this notice under **ADDRESSES**. Requests for repatriation may be submitted by:

1. Any one or more of the Indian Tribes or Native Hawaiian organizations identified in this notice.

2. Any lineal descendant, Indian Tribe, or Native Hawaiian organization not identified in this notice who shows, by a preponderance of the evidence, that the requestor is a lineal descendant or an Indian Tribe or Native Hawaiian organization with cultural affiliation.

Repatriation of the human remains and associated funerary objects described in this notice to a requestor may occur on or after September 22, 2025. If competing requests for repatriation are received, the KSHS must determine the most appropriate requestor prior to repatriation. Requests for joint repatriation of the human remains and associated funerary objects are considered a single request and not competing requests. The KSHS is responsible for sending a copy of this notice to the Indian Tribes and Native Hawaiian organizations identified in this notice and any other consulting parties.

Authority: Native American Graves Protection and Repatriation Act, 25 U.S.C. 3003, and the implementing regulations, 43 CFR 10.10.

Dated: August 6, 2025.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2025–15967 Filed 8–20–25; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[N6439; NPS–WASO–NAGPRA–NPS0040849; PPWOCRADN0–PCU00RP14.R50000]

Notice of Inventory Completion: The John Spellman Library at Grays Harbor College, Aberdeen, WA

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and

Repatriation Act (NAGPRA), the John Spellman Library at Grays Harbor College (GHC Library) has completed an inventory of human remains and has determined that there is a cultural affiliation between the human remains and Indian Tribes or Native Hawaiian organizations in this notice.

DATES: Repatriation of the human remains in this notice may occur on or after September 22, 2025.

ADDRESSES: Send written requests for repatriation of the human remains in this notice to Haley McGraw, John Spellman Library at Grays Harbor College, 1620 Edward P. Smith Drive, Aberdeen, WA 98520, email *haley.mcgraw@ghc.edu.*

SUPPLEMENTARY INFORMATION: This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA. The determinations in this notice are the sole responsibility of the GHC Library and additional information on the determinations in this notice, including the results of consultation, can be found in its inventory or related records. The National Park Service is not responsible for the determinations in this notice.

Abstract of Information Available

Human remains representing, at least, six individuals have been identified. No associated funerary objects are present. These remains may belong to up to six different individuals, and were recovered from a common grave near South Bay Hunt Club, Bay City, between Aberdeen, WA, and Westport, WA, in Grays Harbor County during the excavation of a parking lot. There were no associated funerary objects present, and there are currently no potentially hazardous substances present. The Department of Archaeology and Historic Preservation released these remains to us because they were determined to be Native American or possibly Native American. Ed Van Syckle, a historian, believes them to possibly belong to the Chehalis Indians or other nearby Tribes.

Cultural Affiliation

Cultural affiliation is reasonably identified by the geographical location or acquisition history of the human remains described in this notice.

Determinations

The GHC Library has determined that:

- The human remains described in this notice represent the physical remains of six individuals of Native American ancestry.
- There is a connection between the human remains described in this notice and the Confederated Tribes of the Chehalis Reservation; Quinault Indian Nation; and the Shoalwater Bay Indian Tribe of the Shoalwater Bay Indian Reservation.

Requests for Repatriation

Written requests for repatriation of the human remains in this notice must be sent to the authorized representative identified in this notice under **ADDRESSES**. Requests for repatriation may be submitted by:

1. Any one or more of the Indian Tribes or Native Hawaiian organizations identified in this notice.
2. Any lineal descendant, Indian Tribe, or Native Hawaiian organization not identified in this notice who shows, by a preponderance of the evidence, that the requestor is a lineal descendant or an Indian Tribe or Native Hawaiian organization with cultural affiliation.

Repatriation of the human remains described in this notice to a requestor may occur on or after September 22, 2025. If competing requests for repatriation are received, the GHC Library must determine the most appropriate requestor prior to repatriation. Requests for joint repatriation of the human remains are considered a single request and not competing requests. The GHC Library is responsible for sending a copy of this notice to the Indian Tribes and Native Hawaiian organizations identified in this notice and any other consulting parties.

Authority: Native American Graves Protection and Repatriation Act, 25 U.S.C. 3003, and the implementing regulations, 43 CFR 10.10.

Dated: August 6, 2025.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2025–15970 Filed 8–20–25; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[N6437; NPS–WASO–NAGPRA–NPS0040847; PPWOCRADN0–PCU00RP14.R50000]

Notice of Inventory Completion: Kansas State Historical Society, Topeka, KS

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), the Kansas State Historical Society (KSHS) has completed an inventory of human remains and associated funerary objects and has determined that there is a cultural affiliation between the human remains and associated funerary objects and Indian Tribes or Native Hawaiian organizations in this notice.

DATES: Repatriation of the human remains and associated funerary objects in this notice may occur on or after September 22, 2025.

ADDRESSES: Send written requests for repatriation of the human remains and associated funerary objects in this notice to Dr. Nicole Klarmann, Kansas State Historical Society, 6425 SW 6th Avenue, Topeka, KS 66615–1099, email *kshs.nagpra@ks.gov.*

SUPPLEMENTARY INFORMATION: This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA. The determinations in this notice are the sole responsibility of the KSHS, and additional information on the determinations in this notice, including the results of consultation, can be found in its inventory or related records. The National Park Service is not responsible for the determinations in this notice.

Abstract of Information Available

Human remains representing, at least, five individuals have been identified from Geary County, KS (UBS 1999–20, UBS 2010–07, UBS 2021–01, UBS 2023–07). No associated funerary objects are present. These remains were all removed from riverbeds, either from the Republican, Smoky Hill, or Kansas River, with no other provenience information available.

One associated funerary object includes a chert biface from the Timber Creek site (14CY32) in Clay County, KS (UBS 2023–20). This object was initially in the main collections of KSHS, however, it was moved to NAGPRA collections after learning that the site was two stone burial mounds. The University of Tennessee, Knoxville has the associated human remains from this site.

To our knowledge, no hazardous substances were used to treat any of the human remains or associated funerary objects.

Cultural Affiliation

Based on the information available and the results of consultation, cultural affiliation is reasonably identified by the geographical location or acquisition history of the human remains and associated funerary objects described in this notice.

Determinations

The KSHS has determined that:

- The human remains described in this notice represent the physical

remains of five individuals of Native American ancestry.

• The one object described in this notice is reasonably believed to have been placed intentionally with or near individual human remains at the time of death or later as part of the death rite or ceremony.

• There is a connection between the human remains and associated funerary objects described in this notice and the Kaw Nation, Oklahoma; Pawnee Nation of Oklahoma; and the Wichita and Affiliated Tribes (Wichita, Keechi, Waco, & Tawakonie), Oklahoma.

Requests for Repatriation

Written requests for repatriation of the human remains and associated funerary objects in this notice must be sent to the authorized representative identified in this notice under **ADDRESSES**. Requests for repatriation may be submitted by:

1. Any one or more of the Indian Tribes or Native Hawaiian organizations identified in this notice.

2. Any lineal descendant, Indian Tribe, or Native Hawaiian organization not identified in this notice who shows, by a preponderance of the evidence, that the requestor is a lineal descendant or an Indian Tribe or Native Hawaiian organization with cultural affiliation.

Repatriation of the human remains and associated funerary objects described in this notice to a requestor may occur on or after September 22, 2025. If competing requests for repatriation are received, the KSHS must determine the most appropriate requestor prior to repatriation. Requests for joint repatriation of the human remains and associated funerary objects are considered a single request and not competing requests. The KSHS is responsible for sending a copy of this notice to the Indian Tribes and Native Hawaiian organizations identified in this notice and any other consulting parties.

Authority: Native American Graves Protection and Repatriation Act, 25 U.S.C. 3003, and the implementing regulations, 43 CFR 10.10.

Dated: August 6, 2025.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2025–15968 Filed 8–20–25; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[N6444; NPS–WASO–NAGPRA–NPS0040854; PPWOCRADN0–PCU00RP14.R50000]

Notice of Inventory Completion: New York University, College of Dentistry, New York, NY

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), New York University, College of Dentistry (NYUCD) has completed an inventory of human remains and has determined that there is a cultural affiliation between the human remains and Indian Tribes or Native Hawaiian organizations in this notice.

DATES: Repatriation of the human remains in this notice may occur on or after September 22, 2025.

ADDRESSES: Send written requests for repatriation of the human remains in this notice to Gabriel Friedman, Senior Project Lead, Office of the Provost, New York University, 70 Washington Square South, New York, NY 10012, email *nagpra@nyu.edu.*

SUPPLEMENTARY INFORMATION: This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA. The determinations in this notice are the sole responsibility of NYUCD, and additional information on the determinations in this notice, including the results of consultation, can be found in its inventory or related records. The National Park Service is not responsible for the determinations in this notice.

Abstract of Information Available

Human remains representing at least one individual has been identified. No associated funerary objects are present. In 1920, the human remains were excavated by Ralph Glidden from Santa Catalina Island in Los Angeles County, California as part of an archaeological expedition sponsored by the Museum of the American Indian, Heye Foundation and the Field Museum of Natural History (NMAI Archives, Box OC 126, Folder 27). The human remains were accessioned by the Department of Physical Anthropology of the Museum of the American Indian that same year. In 1956, the remains were transferred to Dr. Theodore Kazamiroff, NYUCD. A Notice of Inventory Completion published on October 11, 2022 in the **Federal Register** (87 FR 61363), describes eight Ancestors that were under the possession and control of NYUCD, removed from Santa Catalina and acquired by NYUCD under the same circumstances described above. These Ancestors were legally transferred and physically returned to the Tribes in December 2022. The Ancestor identified in this Inventory was identified in collection in February 2025.

Based on the available information, a relationship of shared group identity can be identified reasonably between the geographical location and the culturally affiliated Indian Tribes. Santa Catalina Island, Los Angeles County, California is within the aboriginal and ancestral homeland of the culturally affiliated Indian Tribes. NYUCD has no knowledge or record of the presence of any potentially hazardous substances used to treat the human remains.

Cultural Affiliation

Based on the information available and the results of consultation, cultural affiliation is reasonably identified by the geographical location or acquisition history of the human remains described in this notice.

Determinations

NYUCD has determined that:

• The human remains described in this notice represent the physical remains of one individual of Native American ancestry.

• There is a reasonable connection between the human remains and the La Jolla Band of Luiseno Indians, California; Pala Band of Mission Indians; Pechanga Band of Indians (*previously* listed as Pechanga Band of Luiseno Mission Indians of the Pechanga Reservation, California); Rincon Band of Luiseno Mission Indians of Rincon Reservation, California; Santa Ynez Band of Chumash Mission Indians of the Santa Ynez Reservation, California; and the Soboba Band of Luiseno Indians, California.

Requests for Repatriation

Written requests for repatriation of the human remains in this notice must be sent to the authorized representative identified in this notice under **ADDRESSES**. Requests for repatriation may be submitted by:

1. Any one or more of the Indian Tribes or Native Hawaiian organizations identified in this notice.

2. Any lineal descendant, Indian Tribe, or Native Hawaiian organization not identified in this notice who shows, by a preponderance of the evidence, that the requestor is a lineal descendant or

an Indian Tribe or Native Hawaiian organization with cultural affiliation.

Repatriation of the human remains described in this notice to a requestor may occur on or after September 22, 2025. If competing requests for repatriation are received, NYUCD must determine the most appropriate requestor prior to repatriation. Requests for joint repatriation of the human remains are considered a single request and not competing requests. NYUCD is responsible for sending a copy of this notice to the Indian Tribes and Native Hawaiian organizations identified in this notice and any other consulting parties.

Authority: Native American Graves Protection and Repatriation Act, 25 U.S.C. 3003, and the implementing regulations, 43 CFR 10.10.

Dated: August 6, 2025.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2025–15975 Filed 8–20–25; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[N6440; NPS–WASO–NAGPRA–NPS0040850; PPWOCRADN0–PCU00RP14.R50000]

Notice of Intended Repatriation: Sonoma State University, Rohnert Park, CA

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), the Sonoma State University intends to repatriate certain cultural items that meet the definition of unassociated funerary objects, sacred objects, and/or objects of cultural patrimony and that have a cultural affiliation with the Indian Tribes or Native Hawaiian organizations in this notice.

DATES: Repatriation of the cultural items in this notice may occur on or after September 22, 2025.

ADDRESSES: Send additional, written requests for repatriation of the cultural items in this notice to Elise-Alexandria Green, Sonoma State University, 1801 East Cotati Avenue, Rohnert Park, CA 94928, email *elise.green@sonoma.edu.*

SUPPLEMENTARY INFORMATION: This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA. The determinations in this notice are the sole responsibility of the Sonoma State University, and additional information on the determinations in this notice, including the results of consultation, can be found in the summary or related records. The National Park Service is not responsible for the determinations in this notice.

Abstract of Information Available

A total of 2,547 cultural items have been requested for repatriation from various sites from Humboldt, Trinity, and Mendocino counties. A total of 2,346 cultural items are identified as sacred objects and the other 201 are identified as objects of cultural patrimony.

A total of 115 lots of sacred objects were removed from CA–HUM–1229 in Garberville, California located in Humboldt County. The cultural items include flaked stone debitage and flaked obsidian. The cultural items were removed from the site during a PG&E project to replace transmission and distribution poles along the Garberville-Laytonville Transmission line. The cultural items have been housed at Sonoma State University since 2011 under Accession Number 2011–15.

The five sacred objects from Humboldt County are obsidian projectile points located at the Doublegate Ridge, Ford's Flat near Bridgeville, California, and Buck Mountain. These cultural items were all donated by J.R.R. and have been housed at Sonoma State University since 1982 under Accession Number 82–01.

The 1,930 lots of sacred objects were removed from CA–HUM–945 near Redway, California located in Humboldt County. The cultural items were collected during an archaeological test led by the Federal Highway Administration to evaluate the areas of CA–HUM–945 that would be impacted by the Redway sewer treatment plant upgrade. The cultural items are obsidian flakes, modern debris, faunal bone, sandstone tools, stone tools, quartzite flakes, modified chert, chert flakes, and chert projectile points. The cultural items have been housed at Sonoma State University since 1994 under Accession Number 94–33.

The 256 lots of sacred objects were donated to Sonoma State University by Jere Melo. The cultural items were removed from CA–MEN–1632 in Mendocino County. The cultural items are obsidian flakes, modified obsidian, stone debitage, sandstone tools, groundstone tools, chert projectile points, faunal bone, charcoal, shell and flake tools. The cultural items have been housed at Sonoma State University since 1986 under Accession Number 86–03.

The 40 lots of sacred objects donated to Sonoma State University by Jere Melo are chert flakes. At the time of their removal and donation the cultural items were identified to be from CA–MEN–1631 near Wheeler, California located in Mendocino County. However, CA–MEN–1631 has since been combined with CA–MEN–1632. The cultural items have been housed at Sonoma State University since 1986 under Accession Number 86–03.

The two objects of cultural patrimony were removed from Rohnerville, California located in Humboldt County. These cultural items include faunal bone and modified chert that were removed from the location during an archaeological survey. The cultural items have been housed at Sonoma State University since 1976 under Accession Number 76–09.

The two objects of cultural patrimony were removed near Dinsmore River in Humboldt County. There is little additional information as to how the cultural items were collected and became housed at Sonoma State. The cultural items are modified chert and have been housed at Sonoma State University since 1983 under Accession Number 83–01.

A total of 14 objects of cultural patrimony were removed from CA–HUM–1230 in Garberville, California located in Humboldt County. The cultural items are flaked stone debitage. The cultural items were removed from the site during a PG&E project to replace transmission and distribution poles along the Garberville-Laytonville Transmission line. The cultural items have been housed at Sonoma State University since 2011 under Accession Number 2011–13.

A total of three objects of cultural patrimony were removed from CA–HUM–1231 in Garberville, California located in Humboldt County. The cultural items are flaked stone debitage. The cultural items were removed from the site during a PG&E project to replace transmission and distribution poles along the Garberville-Laytonville Transmission line. The cultural items have been housed at Sonoma State University since 2011 under Accession Number 2011–14.

A total of two lots of objects of cultural patrimony were removed from CA–TRI–240 near Hyampom, California located in Trinity County. The cultural items are sandstone. There is little additional information as to how the cultural items were collected and made it to Sonoma State. The cultural items have been housed at Sonoma State University since 1982 under Accession Number 82–01.

A total of 19 objects of cultural patrimony were removed from CA–TRI–854 during the Kerawaka Creek Survey in Trinity County. The cultural items are chert projectile points and modified chert flakes. The cultural items have been housed at Sonoma State University since 1982 under Accession Number 82–01.

A total of one object of cultural patrimony was removed from CA–TRI–856 during the Kekwaka Creek Survey in Trinity County. The cultural item is a groundstone tool. The cultural item has been housed at Sonoma State University since 1982 under Accession Number 82–01.

A total of two objects of cultural patrimony were removed from CA–TRI–859 during the Kekawaka Creek Survey in Trinity County. The cultural items are a groundstone tool and modified chert. The cultural items have been housed at Sonoma State University since 1982 under Accession Number 82–01.

A total of one object of cultural patrimony was removed from CA–TRI–860 during the Kekawaka Creek Survey in Trinity County. The cultural item is a chert projectile point. The cultural item has been housed at Sonoma State University since 1982 under Accession Number 82–01.

There were 135 lots of objects of cultural patrimony donated to Sonoma State University by Jere Melo. At the time of the cultural object's removal and donation to Sonoma State, they were identified to have been removed from CA–MEN–1672 near Wheeler, California in Mendocino County. However, since then CA–MEN–1672 has been combined to fall within CA–MEN–1671. The cultural items are chert flakes, sandstone, groundstone tools, chert projectile points, faunal bone, and flake tools. The cultural items have been housed at Sonoma State University since 1986 under Accession Number 86–03.

A total of 20 lots of objects of cultural patrimony were donated to Sonoma State University by Jere Melo. The cultural items were removed from CA–MEN–1673 near Wheeler, California located in Mendocino County. The cultural items are chert flakes and chert projectile points. The cultural items have been housed at Sonoma State University since 1986 under Accession Number 86–03.

Based on records concerning the sacred objects, objects of cultural patrimony, and the institution in which they are housed, there is no evidence of the cultural items being treated with hazardous substances.

Determinations

The Sonoma State University has determined that:

- The 2,346 sacred objects described in this notice are specific ceremonial objects needed by a traditional Native American religious leader for present-day adherents to practice traditional Native American religion, according to the Native American traditional knowledge of a lineal descendant, Indian Tribe, or Native Hawaiian organization.
- The 201 objects of cultural patrimony described in this notice have ongoing historical, traditional, or cultural importance central to the Native American group, including any constituent sub-group (such as a band, clan, lineage, ceremonial society, or other subdivision), according to the Native American traditional knowledge of an Indian Tribe or Native Hawaiian organization.
- There is a reasonable connection between the cultural items described in this notice and the Bear River Band of the Rohnerville Rancheria, California.

Requests for Repatriation

Additional, written requests for repatriation of the cultural items in this notice must be sent to the authorized representative identified in this notice under **ADDRESSES**. Requests for repatriation may be submitted by any lineal descendant, Indian Tribe, or Native Hawaiian organization not identified in this notice who shows, by a preponderance of the evidence, that the requestor is a lineal descendant or a culturally affiliated Indian Tribe or Native Hawaiian organization.

Repatriation of the cultural items in this notice to a requestor may occur on or after September 22, 2025. If competing requests for repatriation are received, the Sonoma State University must determine the most appropriate requestor prior to repatriation. Requests for joint repatriation of the cultural items are considered a single request and not competing requests. The Sonoma State University is responsible for sending a copy of this notice to the Indian Tribes and Native Hawaiian organizations identified in this notice and to any other consulting parties.

Authority: Native American Graves Protection and Repatriation Act, 25 U.S.C. 3004 and the implementing regulations, 43 CFR 10.9.

Dated: August 6, 2025.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2025–15971 Filed 8–20–25; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[N6391; NPS–WASO–NAGPRA–NPS0040687; PPWOCRADN0–PCU00RP14.R50000]

Notice of Inventory Completion: University of Oregon Museum of Natural and Cultural History, Eugene, OR

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), the University of Oregon Museum of Natural and Cultural History has completed an inventory of human remains and has determined that there is a cultural affiliation between the human remains and Indian Tribes or Native Hawaiian organizations in this notice.

DATES: Repatriation of the human remains in this notice may occur on or after September 22, 2025.

ADDRESSES: Send written requests for repatriation of the human remains in this notice to Dr. Pamela Endzweig, University of Oregon Museum of Natural and Cultural History, 1224 University of Oregon, Eugene, OR 97403–1224, email *endzweig@uoregon.edu.*

SUPPLEMENTARY INFORMATION: This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA. The determinations in this notice are the sole responsibility of the University of Oregon Museum of Natural and Cultural History, and additional information on the determinations in this notice, including the results of consultation, can be found in its inventory or related records. The National Park Service is not responsible for the determinations in this notice.

Abstract of Information Available

Human remains representing, at least, one individual have been identified. No associated funerary objects are present. The human remains (catalogued as 20–1420, Accession 64) are represented by a single adult finger bone from the surface at the Narrows of Lower Klamath Lake, Siskiyou County, California, and were collected from authorized University of Oregon archaeological investigations and transferred to the Museum in 1940. The human remains were mistakenly catalogued as a non-human faunal element when they were initially

transferred to the Museum. The Narrows of Lower Klamath Lake are in the historic territory of Modoc peoples.

Human remains comprising two skeletal elements and representing, at least, two individuals have been identified. No associated funerary objects are present. One of the elements (catalogued as 11–261, Accession 65) is from an adult, possibly a male. The other element (catalogued as 11–260, Accession 65), is from an adult of indeterminate sex. It is unknown if the elements are related. The human remains were collected at an unknown date from the Narrows of Lower Klamath Lake, Siskiyou County, California and were transferred to the Museum by a private individual in 1940. The Narrows of Lower Klamath Lake are in the historic territory of Modoc peoples.

Human remains representing, at least, two individuals, have been identified. No associated funerary objects are present. The human remains (catalogued as 11–134, Accession 65) are from an adult individual and a child of 4–6 years, both of indeterminate sex. The human remains were collected at an unknown date from an unknown location and transferred to the Museum by a private individual in 1940. While their specific origin is not documented, archaeological collections given by the donor (the same private individual who donated the previous two individuals (11–260 and 11–261) are from the Klamath Lakes region in Klamath County, Oregon, and Siskiyou County, California, and it is likely that this origin applies to these remains as well. The Klamath Lakes region is in the historic territory of Klamath and Modoc peoples.

Cultural Affiliation

Based on the information available and the results of consultation, cultural affiliation is reasonably identified by the geographical location or acquisition history of the human remains described in this notice.

Determinations

The University of Oregon Museum of Natural and Cultural History has determined that:

- The human remains described in this notice represent the physical remains of five individuals of Native American ancestry.
- There is a connection between the human remains described in this notice and the Klamath Tribes and the Modoc Nation.

Requests for Repatriation

Written requests for repatriation of the human remains in this notice must be sent to the authorized representative identified in this notice under **ADDRESSES**. Requests for repatriation may be submitted by:

1. Any one or more of the Indian Tribes or Native Hawaiian organizations identified in this notice.
2. Any lineal descendant, Indian Tribe, or Native Hawaiian organization not identified in this notice who shows, by a preponderance of the evidence, that the requestor is a lineal descendant or an Indian Tribe or Native Hawaiian organization with cultural affiliation.

Repatriation of the human remains described in this notice to a requestor may occur on or after September 22, 2025. If competing requests for repatriation are received, the University of Oregon Museum of Natural and Cultural History must determine the most appropriate requestor prior to repatriation. Requests for joint repatriation of the human remains are considered a single request and not competing requests. The University of Oregon Museum of Natural and Cultural History is responsible for sending a copy of this notice to the Indian Tribes and Native Hawaiian organizations identified in this notice and any other consulting parties.

Authority: Native American Graves Protection and Repatriation Act, 25 U.S.C. 3003, and the implementing regulations, 43 CFR 10.10.

Dated: July 15, 2025.

Mariah Soriano,

Acting Manager, National NAGPRA Program.

[FR Doc. 2025–15962 Filed 8–20–25; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[N6388; NPS–WASO–NAGPRA–NPS0040685; PPWOCRADN0–PCU00RP14.R50000]

Notice of Inventory Completion: The University of Tennessee, McClung Museum of Natural History & Culture, Knoxville, TN

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), The University of Tennessee, Knoxville, McClung Museum of Natural History & Culture (UTK), has completed an inventory of associated funerary objects and has determined that there is a cultural affiliation between the associated funerary objects and Indian Tribes or Native Hawaiian organizations in this notice.

DATES: Repatriation of the associated funerary objects in this notice may occur on or after September 22, 2025.

ADDRESSES: Send written requests for repatriation of the associated funerary objects in this notice to Dr. Ellen Lofaro, University of Tennessee, Office of Repatriation, 5723 Middlebrook Pike, Knoxville, TN 37996, email *nagpra@utk.edu.*

SUPPLEMENTARY INFORMATION: This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA. The determinations in this notice are the sole responsibility of UTK, and additional information on the determinations in this notice, including the results of consultation, can be found in its inventory or related records. The National Park Service is not responsible for the determinations in this notice.

Abstract of Information Available

The five lots of associated funerary objects are faunal; lithics; ceramics; shell beads; and objects placed with or near human remains. These objects were recovered from the Wafford Farm site, 40HS218, in Humphreys County, TN, by an unknown individual before 1943. These objects were included in the George Barnes ''collection'' that was purchased by UTK in 1949. To our knowledge, no potentially hazardous substances have been used to treat any of the associated funerary objects.

Cultural Affiliation

Based on the information available and the results of consultation, cultural affiliation is reasonably identified by the geographical location of the associated funerary objects described in this notice.

Determinations

UTK has determined that:

- The five lots of objects described in this notice are reasonably believed to have been placed intentionally with or near individual human remains at the time of death or later as part of the death rite or ceremony.
- There is a connection between the associated funerary objects described in this notice and The Chickasaw Nation.

Requests for Repatriation

Written requests for repatriation of the associated funerary objects in this notice must be sent to the authorized representative identified in this notice under **ADDRESSES**. Requests for repatriation may be submitted by:

1. Any one or more of the Indian Tribes or Native Hawaiian organizations identified in this notice.

2. Any lineal descendant, Indian Tribe, or Native Hawaiian organization not identified in this notice who shows, by a preponderance of the evidence, that the requestor is a lineal descendant or an Indian Tribe or Native Hawaiian organization with cultural affiliation.

Repatriation of the associated funerary objects described in this notice to a requestor may occur on or after September 22, 2025. If competing requests for repatriation are received, UTK must determine the most appropriate requestor prior to repatriation. Requests for joint repatriation of the associated funerary objects are considered a single request and not competing requests. UTK is responsible for sending a copy of this notice to the Indian Tribes and Native Hawaiian organizations identified in this notice.

Authority: Native American Graves Protection and Repatriation Act, 25 U.S.C. 3003, and the implementing regulations, 43 CFR 10.10.

Dated: July 15, 2025.

Mariah Soriano,

Acting Manager, National NAGPRA Program.

[FR Doc. 2025–15961 Filed 8–20–25; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[N6383; NPS–WASO–NAGPRA–NPS0040683; PPWOCRADN0–PCU00RP14.R50000]

Notice of Inventory Completion: The University of Tennessee, Department of Anthropology, Knoxville, TN

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), The University of Tennessee, Knoxville, Department of Anthropology (UTK), has completed an inventory of human remains and associated funerary objects and has determined that there is a cultural affiliation between the human remains and associated funerary objects and Indian Tribes or Native Hawaiian organizations in this notice.

DATES: Repatriation of the human remains and associated funerary objects in this notice may occur on or after September 22, 2025.

ADDRESSES: Send written requests for repatriation of the human remains and associated funerary objects in this notice to Dr. Ellen Lofaro, University of Tennessee, Office of Repatriation, 5723 Middlebrook Pike, Knoxville, TN 37996, email *nagpra@utk.edu.*

SUPPLEMENTARY INFORMATION: This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA. The determinations in this notice are the sole responsibility of UTK, and additional information on the determinations in this notice, including the results of consultation, can be found in its inventory or related records. The National Park Service is not responsible for the determinations in this notice.

Abstract of Information Available

Human remains representing, at least, one individual have been identified. The five lots of associated funerary objects are botanicals; ceramics; faunal; lithics; and objects placed with or near human remains. These individuals and objects were recovered from the Hamby site, 40CF214, in Coffee County, TN, by Charles Faulkner and James E. Cobb in March 1977. This site dates to the Late Middle Woodland (late Owl Hollow), post 600 CE. These individuals and objects were transferred to UTK after the excavation and retained. To our knowledge, no potentially hazardous substances have been used to treat any of the Ancestral remains or associated funerary objects.

Cultural Affiliation

Based on the information available and the results of consultation, cultural affiliation is clearly identified by the information available about the human remains and associated funerary objects described in this notice.

Determinations

UTK has determined that:

- The human remains described in this notice represent the physical remains of one individual of Native American ancestry.
- The five lots of objects described in this notice are reasonably believed to have been placed intentionally with or near individual human remains at the time of death or later as part of the death rite or ceremony.
- There is a connection between the human remains and associated funerary objects described in this notice and the Alabama-Coushatta Tribe of Texas; Cherokee Nation; Eastern Band of Cherokee Indians; The Chickasaw Nation; The Muscogee (Creek) Nation; The Seminole Nation of Oklahoma; Thlopthlocco Tribal Town; and the United Keetoowah Band of Cherokee Indians in Oklahoma.

Requests for Repatriation

Written requests for repatriation of the human remains and associated funerary objects in this notice must be sent to the authorized representative identified in this notice under **ADDRESSES**. Requests for repatriation may be submitted by:

1. Any one or more of the Indian Tribes or Native Hawaiian organizations identified in this notice.

2. Any lineal descendant, Indian Tribe, or Native Hawaiian organization not identified in this notice who shows, by a preponderance of the evidence, that the requestor is a lineal descendant or an Indian Tribe or Native Hawaiian organization with cultural affiliation.

Repatriation of the human remains and associated funerary objects described in this notice to a requestor may occur on or after September 22, 2025. If competing requests for repatriation are received, UTK must determine the most appropriate requestor prior to repatriation. Requests for joint repatriation of the human remains and associated funerary objects are considered a single request and not competing requests. UTK are responsible for sending a copy of this notice to the Indian Tribes and Native Hawaiian organizations identified in this notice.

Authority: Native American Graves Protection and Repatriation Act, 25 U.S.C. 3003, and the implementing regulations, 43 CFR 10.10.

Dated: July 15, 2025,

Mariah Soriano,

Acting Manager, National NAGPRA Program.

[FR Doc. 2025–15959 Filed 8–20–25; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[N6438; NPS–WASO–NAGPRA–NPS0040848; PPWOCRADN0–PCU00RP14.R50000]

Notice of Intended Repatriation: University of California, Santa Barbara, Repository for Archaeological and Ethnographic Collections, Santa Barbara, CA

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), the University of California, Santa Barbara (UCSB) Repository for Archaeological and Ethnographic Collections intends to repatriate certain cultural items that meet the definition of objects of cultural

patrimony and that have a cultural affiliation with the Indian Tribes or Native Hawaiian organizations in this notice.

DATES: Repatriation of the cultural items in this notice may occur on or after September 22, 2025.

ADDRESSES: Send additional, written requests for repatriation of the cultural items in this notice to Hugh Radde, University of California, Santa Barbara, 4129 Cheadle Hall, Santa Barbara, CA 93106–2033, email *NAGPRA@ucsb.edu.*

SUPPLEMENTARY INFORMATION: This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA. The determinations in this notice are the sole responsibility of the UCSB Repository for Archaeological and Ethnographic Collections, and additional information on the determinations in this notice, including the results of consultation, can be found in the summary or related records. The National Park Service is not responsible for the determinations in this notice.

Abstract of Information Available

A total of six cultural items have been requested for repatriation. The six objects of cultural patrimony are five stone tools and one clam shell disc bead. It is unknown if the collections were exposed to hazardous substances.

Of the cultural items being requested, four objects of cultural patrimony are large bifacial stone tools made from various material types (Accession 128). As of 2025, one stone tool is missing from the collection. The items were donated to UC Santa Barbara in 1960 by Mrs. Freddie Curtis. Although the exact provenience is unknown, they were reportedly collected from the vicinity of Black Canyon near Mojave in Kern County, CA. The precise date of removal from the site is also unknown, but it is believed to have occurred prior to 1960.

Of the cultural items being requested, one object of cultural patrimony is a chipped stone item made of chert (Accession 250.49). On an unknown date, the item was removed from CA–KERN–455 in Kern County, CA. It was collected by Chester King in 1977 and was later transferred to UC Santa Barbara, though the date of transfer is also unknown.

Of the cultural items being requested, one object of cultural patrimony is a single clam shell disc bead (Accession 829.Kern). The item was collected from the surface of a location referred to as the Bitter Springs site in Kern County, California. The exact provenience and identity of the collector are unknown. The date of transfer to UC Santa Barbara is also unknown.

Determinations

The UCSB Repository for Archaeological and Ethnographic Collections has determined that:

- The six objects of cultural patrimony described in this notice have ongoing historical, traditional, or cultural importance central to the Native American group, including any constituent sub-group (such as a band, clan, lineage, ceremonial society, or other subdivision), according to the Native American traditional knowledge of an Indian Tribe or Native Hawaiian organization.
- There is a connection between the cultural items described in this notice and the Tejon Indian Tribe.

Requests for Repatriation

Additional, written requests for repatriation of the cultural items in this notice must be sent to the authorized representative identified in this notice under **ADDRESSES**. Requests for repatriation may be submitted by any lineal descendant, Indian Tribe, or Native Hawaiian organization not identified in this notice who shows, by a preponderance of the evidence, that the requestor is a lineal descendant or a culturally affiliated Indian Tribe or Native Hawaiian organization.

Repatriation of the cultural items in this notice to a requestor may occur on or after September 22, 2025. If competing requests for repatriation are received, the UCSB Repository for Archaeological and Ethnographic Collections must determine the most appropriate requestor prior to repatriation. Requests for joint repatriation of the cultural items are considered a single request and not competing requests. The UCSB Repository for Archaeological and Ethnographic Collections is responsible for sending a copy of this notice to the Indian Tribes and Native Hawaiian organizations identified in this notice and to any other consulting parties.

Authority: Native American Graves Protection and Repatriation Act, 25 U.S.C. 3004 and the implementing regulations, 43 CFR 10.9.

Dated: August 6, 2025.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2025–15969 Filed 8–20–25; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[N6441; NPS–WASO–NAGPRA–NPS0040851; PPWOCRADN0–PCU00RP14.R50000]

Notice of Inventory Completion: College of Marin, Kentfield, CA

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), the College of Marin has completed an inventory of human remains and associated funerary objects and has determined that there is a cultural affiliation between the human remains and associated funerary objects and Indian Tribes or Native Hawaiian organizations in this notice.

DATES: Repatriation of the human remains and associated funerary objects in this notice may occur on or after September 22, 2025.

ADDRESSES: Send written requests for repatriation of the human remains and associated funerary objects in this notice to Klaus Christiansen, College of Marin, 835 College Avenue, Kentfield, CA 94904, email *kchristiansen@marin.edu.*

SUPPLEMENTARY INFORMATION: This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA. The determinations in this notice are the sole responsibility of the College of Marin, and additional information on the determinations in this notice, including the results of consultation, can be found in its inventory or related records. The National Park Service is not responsible for the determinations in this notice.

Abstract of Information Available

Human remains representing, at least, four individuals removed from CA–MRN–406 near Kentfield, California, have been identified. The 1,535 associated funerary objects are 22 projectiles points, 10 drills, 77 bifaces, 21 formed flake tools, eight flake tools, three core tools, 15 cores, 532 pieces of debitage, four millingstones, 22 mortars, one handstone, 40 pestles, three battered cobbles, two pitted stones, five miscellaneous ground stone implements, 16 charmstones, five stone pendants, two net weights, one stone bowl, two miscellaneous modified stone items, four bone buttons, one shell pendant, 151 fragments of faunal bone, 570 fragments of faunal shell, 12 quartz crystals, one fire-affected rock, two pieces of charcoal, one metal fragment, and two unmodified stones. The human

remains and associated funerary objects were collected by College of Marin Professor Bruff in the early 1960s, College of Marin Professor McBeath in 1971, and during construction monitoring within the College of Marin Kenfield campus in 2009 by LSA Environmental Consultants.

A lot of 3,635 associated funerary objects removed from CA–MRN–697 near Novato, California, are one projectile point, two bifaces, seven flake tools, 19 cores, 208 pieces of debitage, one shell bead, three shell pendants, two modified bone implements, 75 fragments of bone, 3,022 shell fragments, three pieces of feces, two quartz crystals, five pieces of ochre, 68 pieces of ash, 46 unmodified stones, 102 pieces of charcoal, two burnt seeds, and 67 historic-era items including one barbed wire, four bullet casings, one cap, one cut nail and two other nails, one marble, one piece of porcelain, five pull tabs, one piece of wire, 25 pieces of glass, and 25 pieces of metal. The associated funerary objects were collected in 2008 and 2010 by LSA Environmental Consultants during construction monitoring within the within the Indian Valley College campus and transferred to the College of Marin Kentfield campus on March 19, 2015.

Human remains representing, at least, two individuals removed from P–21–002691 near Novato, California, have been identified. The 10 associated funerary objects are faunal bone fragments. The collection history of the human remains and associated funerary objects is unknown.

Human remains representing, at least, one individual removed from CA–MRN–192 near Novato, California, have been identified. The one associated funerary object is a clam shell disc bead. The collection history of the human remains and associated funerary object is unknown.

Human remains representing, at least, one individual removed from CA–MRN–365 near Novato, California, have been identified. The 2,919 associated funerary objects are 13 bifaces, one formed flake tool, 18 flake tools, 29 cores, 953 pieces of debitage, one millingstone, one pestle, 1,044 fragments of faunal bone, 852 fragments of faunal shell, three bags of baked clay, and four bags of charcoal. The human remains and associated funerary objects were collected in the 1960s by College of Marin Professor Bruff.

An associated funerary object removed from either CA–MRN–192 or MRN–365 near Novato, California, is an *Olivella* shell bead. The collection history of the associated funerary object is unknown.

Human remains representing, at least, 10 individuals removed from an unknown location have been identified at the College of Marin Kentfield campus. The collection history of the human remains is unknown.

A lot of two associated funerary objects removed from CA–MRN–11 near Mill Valley, California, were identified on display at the College of Marin Kenfield campus and are a core tool and a piece of faunal shell. The collection history of the associated funerary objects is unknown.

A lot of five associated funerary objects removed from CA–MRN–12 near Mill Valley, California, were identified on display at the College of Marin Kenfield campus and are a steatite/soapstone bead, one clam shell disc bead, two Olivella shell beads, and one steatite/soapstone ear piece. The collection history of the associated funerary objects is unknown.

An associated funerary object removed from CA–MRN–170 near Novato, California, was identified on display at the College of Marin Kenfield campus and is a biface. The collection history of the associated funerary object is unknown.

A lot of 19 associated funerary objects removed from either CA–MRN–407 or MRN–408 near Tiburon, California, were identified on display at the College of Marin Kenfield campus and are four formed flake tools, five flake tools, six cores, and four pieces of debitage. The collection history of the associated funerary objects is unknown.

A lot of 37 associated funerary objects removed from an unknown location were identified on display at the College of Marin Kenfield campus and are 11 projectile points, seven bifaces, one formed flake tool, one flake tool, one core, two mortars, three pestles, three shell beads, one charmstone, one stone pendant, five net weights, and one *Haliotis* sp. shell. The collection history of the associated funerary objects is unknown.

The College of Marin is unaware of any treatment of the total 8,165 associated funerary objects with pesticides, preservatives, or other substances that represent a potential hazard to the objects or to persons handling the objects.

Cultural Affiliation

Based on the information available and the results of consultation, cultural affiliation is reasonably identified by the geographical location or acquisition history of the human remains and associated funerary objects described in this notice.

Determinations

The College of Marin has determined that:

- The human remains described in this notice represent the physical remains of 18 individuals of Native American ancestry.
- The 8,165 objects described in this notice are reasonably believed to have been placed intentionally with or near individual human remains at the time of death or later as part of the death rite or ceremony.
- There is a connection between the human remains and associated funerary objects described in this notice and the Federated Indians of Graton Rancheria, California.

Requests for Repatriation

Written requests for repatriation of the human remains and associated funerary objects in this notice must be sent to the authorized representative identified in this notice under **ADDRESSES**. Requests for repatriation may be submitted by:

1. Any one or more of the Indian Tribes or Native Hawaiian organizations identified in this notice.

2. Any lineal descendant, Indian Tribe, or Native Hawaiian organization not identified in this notice who shows, by a preponderance of the evidence, that the requestor is a lineal descendant or an Indian Tribe or Native Hawaiian organization with cultural affiliation.

Repatriation of the human remains and associated funerary objects described in this notice to a requestor may occur on or after September 22, 2025. If competing requests for repatriation are received, the College of Marin must determine the most appropriate requestor prior to repatriation. Requests for joint repatriation of the human remains and associated funerary objects are considered a single request and not competing requests. The College of Marin is responsible for sending a copy of this notice to the Indian Tribes and Native Hawaiian organizations identified in this notice and any other consulting parties.

Authority: Native American Graves Protection and Repatriation Act, 25 U.S.C. 3003, and the implementing regulations, 43 CFR 10.10.

Dated: August 6, 2025.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2025–15972 Filed 8–20–25; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[N6384; NPS–WASO–NAGPRA–NPS0040684; PPWOCRADN0–PCU00RP14.R50000]

Notice of Inventory Completion: The University of Tennessee, Department of Anthropology, Knoxville, TN

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), The University of Tennessee, Knoxville, Department of Anthropology (UTK), has completed an inventory of human remains and associated funerary objects and has determined that there is a cultural affiliation between the human remains and associated funerary objects and Indian Tribes or Native Hawaiian organizations in this notice.

DATES: Repatriation of the human remains and associated funerary objects in this notice may occur on or after September 22, 2025.

ADDRESSES: Send written requests for repatriation of the human remains and associated funerary objects in this notice to Dr. Ellen Lofaro, University of Tennessee, Office of Repatriation, 5723 Middlebrook Pike, Knoxville, TN 37996, email *nagpra@utk.edu.*

SUPPLEMENTARY INFORMATION: This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA. The determinations in this notice are the sole responsibility of UTK, and additional information on the determinations in this notice, including the results of consultation, can be found in its inventory or related records. The National Park Service is not responsible for the determinations in this notice.

Abstract of Information Available

Human remains representing, at least, two individuals have been identified. The four lots of associated funerary objects are botanicals; faunal and shell; lithics; and objects placed with or near human remains. These individuals and objects were recovered from the Griffin Rock Shelter, 40FR151, in Franklin County, TN, by Duane King of the University of Tennessee, Chattanooga (UTC). This site dates from the Late Terminal Woodland to early Mississippian periods with a Late Archaic period presence. The site is radiocarbon dated to 1050 +/− 55 BP calibrated to 944 +/− 54 CE. These individuals and objects were transferred to UTC and later transferred to UTK at an unknown time where they were retained. To our knowledge, no potentially hazardous substances have been used to treat any of the Ancestral remains or associated funerary objects.

Cultural Affiliation

Based on the information available and the results of consultation, cultural affiliation is clearly identified by the information available about the human remains and associated funerary objects described in this notice.

Determinations

UTK has determined that:

- The human remains described in this notice represent the physical remains of two individuals of Native American ancestry.
- The four lots of objects described in this notice are reasonably believed to have been placed intentionally with or near individual human remains at the time of death or later as part of the death rite or ceremony.
- There is a connection between the human remains and associated funerary objects described in this notice and the Alabama-Coushatta Tribe of Texas; Cherokee Nation; Eastern Band of Cherokee Indians; Poarch Band of Creek Indians; The Chickasaw Nation; The Muscogee (Creek) Nation; The Seminole Nation of Oklahoma; Thlopthlocco Tribal Town; and the United Keetoowah Band of Cherokee Indians in Oklahoma.

Requests for Repatriation

Written requests for repatriation of the human remains and associated funerary objects in this notice must be sent to the authorized representative identified in this notice under **ADDRESSES**. Requests for repatriation may be submitted by:

1. Any one or more of the Indian Tribes or Native Hawaiian organizations identified in this notice.

2. Any lineal descendant, Indian Tribe, or Native Hawaiian organization not identified in this notice who shows, by a preponderance of the evidence, that the requestor is a lineal descendant or an Indian Tribe or Native Hawaiian organization with cultural affiliation.

Repatriation of the human remains and associated funerary objects described in this notice to a requestor may occur on or after September 22, 2025. If competing requests for repatriation are received, UTK must determine the most appropriate requestor prior to repatriation. Requests for joint repatriation of the human remains and associated funerary objects are considered a single request and not competing requests. UTK are responsible for sending a copy of this notice to the Indian Tribes and Native Hawaiian organizations identified in this notice.

Authority: Native American Graves Protection and Repatriation Act, 25 U.S.C. 3003, and the implementing regulations, 43 CFR 10.10.

Dated: July 15, 2025.

Mariah Soriano,

Acting Manager, National NAGPRA Program.

[FR Doc. 2025–15960 Filed 8–20–25; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[N6443; NPS–WASO–NAGPRA–NPS0040853; PPWOCRADN0–PCU00RP14.R50000]

Notice of Intended Repatriation: Old Dartmouth Historical Society, d.b.a. New Bedford Whaling Museum, New Bedford, MA

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), the Old Dartmouth Historical Society, d.b.a. New Bedford Whaling Museum (NBWM) intends to repatriate certain cultural items that meet the definition of sacred objects and that have a cultural affiliation with the Indian Tribes or Native Hawaiian organizations in this notice.

DATES: Repatriation of the cultural items in this notice may occur on or after September 22, 2025.

ADDRESSES: Send additional, written requests for repatriation of the cultural items in this notice to Naomi Slipp, The Old Dartmouth Historical Society, d.b.a. The New Bedford Whaling Museum, 18 Johnny Cake Hill, New Bedford, MA 02740, email *nslipp@whalingmuseum.org.*

SUPPLEMENTARY INFORMATION: This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA. The determinations in this notice are the sole responsibility of the NBWM, and additional information on the determinations in this notice, including the results of consultation, can be found in the summary or related records. The National Park Service is not responsible for the determinations in this notice.

Abstract of Information Available

A total of three cultural items have been requested for repatriation. The three sacred objects are one adz (1992.24.12.), one boar tusk bracelet

(2001.100.1349), and one necklace (2001.100.1926). The sacred objects were removed from Hawai'i. The adz (1922.24.12) was accessioned in 1922 as a gift from Dr. Winslow. The bracelet and necklace (2001.100.1349 and 2001.100.1926) were previously part of the Kendall Whaling Museum collection and became part of NBWM's collections following the institutional merger in 2001. The NBWM has no knowledge of any potentially hazardous substances used to treat the sacred objects.

Determinations

The NBWM has determined that:

- The three sacred objects described in this notice are specific ceremonial objects needed by a traditional Native American religious leader for present-day adherents to practice traditional Native American religion, according to the Native American traditional knowledge of a lineal descendant, Indian Tribe, or Native Hawaiian organization.
- There is a reasonable connection between the cultural items described in this notice and the Hui Iwi Kuamo'o.

Requests for Repatriation

Additional, written requests for repatriation of the cultural items in this notice must be sent to the authorized representative identified in this notice under **ADDRESSES**. Requests for repatriation may be submitted by any lineal descendant, Indian Tribe, or Native Hawaiian organization not identified in this notice who shows, by a preponderance of the evidence, that the requestor is a lineal descendant or a culturally affiliated Indian Tribe or Native Hawaiian organization.

Repatriation of the cultural items in this notice to a requestor may occur on or after September 22, 2025. If competing requests for repatriation are received, the NBWM must determine the most appropriate requestor prior to repatriation. Requests for joint repatriation of the cultural items are considered a single request and not competing requests. The NBWM is responsible for sending a copy of this notice to the Indian Tribes and Native Hawaiian organizations identified in this notice and to any other consulting parties.

Authority: Native American Graves Protection and Repatriation Act, 25 U.S.C. 3004 and the implementing regulations, 43 CFR 10.9.

Dated: August 6, 2025.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2025–15974 Filed 8–20–25; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[N6382; NPS–WASO–NAGPRA–NPS0040686; PPWOCRADN0–PCU00RP14.R50000]

Notice of Inventory Completion: The Westfield Athenaeum, Westfield, MA

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), the Westfield Athenaeum has completed an inventory of human remains and has determined that there is a cultural affiliation between the human remains and Indian Tribes or Native Hawaiian organizations in this notice.

DATES: Repatriation of the human remains in this notice may occur on or after September 22, 2025.

ADDRESSES: Send written requests for repatriation of the human remains in this notice to Max Vivacqua, Westfield Athenaeum, 6 Elm Street, Westfield, MA 01085, email *mvivacqua@westath.org.*

SUPPLEMENTARY INFORMATION: This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA. The determinations in this notice are the sole responsibility of the Westfield Athenaeum, and additional information on the determinations in this notice, including the results of consultation, can be found in its inventory or related records. The National Park Service is not responsible for the determinations in this notice.

Abstract of Information Available

Human remains representing, at least, one individual have been identified. No associated funerary objects are present. In 1927, remains were donated to the Westfield Athenaeum after removal from a ''Burial Ground Pochassic''.

Cultural Affiliation

Based on the information available and the results of consultation, cultural affiliation is reasonably identified by the geographical location or acquisition history of the human remains described in this notice.

Determinations

The Westfield Athenaeum has determined that:

- The human remains described in this notice represent the physical remains of one individual of Native American ancestry.
- There is a connection between the human remains described in this notice and the Stockbridge Munsee Community, Wisconsin.

Requests for Repatriation

Written requests for repatriation of the human remains in this notice must be sent to the authorized representative identified in this notice under **ADDRESSES**. Requests for repatriation may be submitted by:

1. Any one or more of the Indian Tribes or Native Hawaiian organizations identified in this notice.
2. Any lineal descendant, Indian Tribe, or Native Hawaiian organization not identified in this notice who shows, by a preponderance of the evidence, that the requestor is a lineal descendant or an Indian Tribe or Native Hawaiian organization with cultural affiliation.

Repatriation of the human remains described in this notice to a requestor may occur on or after [INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE **Federal Register**]. If competing requests for repatriation are received, the Westfield Athenaeum must determine the most appropriate requestor prior to repatriation. Requests for joint repatriation of the human remains are considered a single request and not competing requests. The Westfield Athenaeum is responsible for sending a copy of this notice to the Indian Tribes and Native Hawaiian organizations identified in this notice and any other consulting parties.

Authority: Native American Graves Protection and Repatriation Act, 25 U.S.C. 3003, and the implementing regulations, 43 CFR 10.10.

Dated: July 15, 2025.

Mariah Soriano,

Acting Manager, National NAGPRA Program.

[FR Doc. 2025–15964 Filed 8–20–25; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[N6445; NPS–WASO–NAGPRA–NPS0040855; PPWOCRADN0–PCU00RP14.R50000]

Notice of Inventory Completion: University of Illinois Urbana-Champaign, Champaign, IL

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), the University of Illinois Urbana-Champaign has completed an inventory

of human remains and associated funerary objects and has determined that there is a cultural affiliation between the human remains and associated funerary objects and Indian Tribes or Native Hawaiian organizations in this notice.

DATES: Repatriation of the human remains and associated funerary objects in this notice may occur on or after September 22, 2025.

ADDRESSES: Send written requests for repatriation of the human remains and associated funerary objects in this notice to Krystiana Krupa, University of Illinois Urbana-Champaign, 601 E John Street, Champaign, IL 61820, email *klkrupa@illinois.edu.*

SUPPLEMENTARY INFORMATION: This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA. The determinations in this notice are the sole responsibility of the University of Illinois Urbana-Champaign, and additional information on the determinations in this notice, including the results of consultation, can be found in its inventory or related records. The National Park Service is not responsible for the determinations in this notice.

Abstract of Information Available

Human remains representing, at least, two individuals have been identified. The 382 associated funerary objects are ceramic sherds, lithics, and faunal material (shell and bone fragments). In 1985, University of Illinois Urbana-Champaign personnel conducted a surface collection at the Last Site (22Ha511) in Hancock County, Mississippi and recovered the human remains of one individual. A second surface collection at the Campbell Bayou II site (22Ha513) in Hancock County, Mississippi recovered additional human remains from one individual. The human remains described here were misidentified as faunal remains at the time. No site or project reports were generated and little is known about these projects.

Cultural Affiliation

Based on the information available and the results of consultation, cultural affiliation is reasonably identified by the geographical location or acquisition history of the human remains and associated funerary objects described in this notice.

Determinations

The University of Illinois Urbana-Champaign has determined that:

- The human remains described in this notice represent the physical remains of two individuals of Native American ancestry.
- The 382 objects described in this notice are reasonably believed to have been placed intentionally with or near individual human remains at the time of death or later as part of the death rite or ceremony.
- There is a connection between the human remains and associated funerary objects described in this notice and the Mississippi Band of Choctaw Indians; The Choctaw Nation of Oklahoma; and The Muscogee (Creek) Nation.

Requests for Repatriation

Written requests for repatriation of the human remains and associated funerary objects in this notice must be sent to the authorized representative identified in this notice under **ADDRESSES**. Requests for repatriation may be submitted by:

1. Any one or more of the Indian Tribes or Native Hawaiian organizations identified in this notice.

2. Any lineal descendant, Indian Tribe, or Native Hawaiian organization not identified in this notice who shows, by a preponderance of the evidence, that the requestor is a lineal descendant or an Indian Tribe or Native Hawaiian organization with cultural affiliation.

Repatriation of the human remains and associated funerary objects described in this notice to a requestor may occur on or after September 22, 2025. If competing requests for repatriation are received, the University of Illinois Urbana-Champaign must determine the most appropriate requestor prior to repatriation. Requests for joint repatriation of the human remains and associated funerary objects are considered a single request and not competing requests. The University of Illinois Urbana-Champaign is responsible for sending a copy of this notice to the Indian Tribes and Native Hawaiian organizations identified in this notice.

Authority: Native American Graves Protection and Repatriation Act, 25 U.S.C. 3003, and the implementing regulations, 43 CFR 10.10.

Dated: August 6, 2025.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2025–15976 Filed 8–20–25; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[N6392; NPS–WASO–NAGPRA–NPS0040688; PPWOCRADN0–PCU00RP14.R50000]

Notice of Intended Repatriation: Pacific Grove Museum of Natural History, Pacific Grove, CA

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), the Pacific Grove Museum of Natural History (Pacific Grove Museum) intends to repatriate a certain cultural item that meets the definition of an object of cultural patrimony and that has a cultural affiliation with the Indian Tribes or Native Hawaiian organizations in this notice.

DATES: Repatriation of the cultural item in this notice may occur on or after September 22, 2025.

ADDRESSES: Send additional, written requests for repatriation of the cultural item in this notice to Rachel M. Miller, Pacific Grove Museum of Natural History, 165 Forest Avenue, Pacific Grove, CA 93950, email *miller@pgmuseum.org.*

SUPPLEMENTARY INFORMATION: This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA. The determinations in this notice are the sole responsibility of the Pacific Grove Museum and additional information on the determinations in this notice, including the results of consultation, can be found in the summary or related records. The National Park Service is not responsible for the determinations in this notice.

Abstract of Information Available

A total of one cultural item has been requested for repatriation. The item is described as a pipe made of steatite. The pipe is a gray-green speckled with a smooth texture to the stone. The steatite pipe measures out to be four inches in length. The pipe is believed to have originated in Puget Sound, eight miles south of Tacoma Washington in Pierce County. This item was found on the property of Roland Wilson; Pierce Co. Wash collected in the late 1880s and collected or accessioned by the museum in 1899 through various collectors and donors including: Roland Wilson.

The Pacific Grove Museum of Natural History informs the Puyallup Tribe of Indian that it has no record of this item

being treated with pesticides, preservatives, or any other substance that presents a potential hazard to the object, or to any person or persons handling the objects.

Determinations

The Pacific Grove Museum has determined that:

- The one object of cultural patrimony described in this notice have ongoing historical, traditional, or cultural importance central to the Native American group, including any constituent sub-group (such as a band, clan, lineage, ceremonial society, or other subdivision), according to the Native American traditional knowledge of an Indian Tribe or Native Hawaiian organization.
- There is a connection between the cultural item described in this notice and the Puyallup Tribe of the Puyallup Reservation.

Requests for Repatriation

Additional, written requests for repatriation of the cultural item in this notice must be sent to the authorized representative identified in this notice under **ADDRESSES**. Requests for repatriation may be submitted by any lineal descendant, Indian Tribe, or Native Hawaiian organization not identified in this notice who shows, by a preponderance of the evidence, that the requestor is a lineal descendant or a culturally affiliated Indian Tribe or Native Hawaiian organization.

Repatriation of the cultural item in this notice to a requestor may occur on or after September 22, 2025. If competing requests for repatriation are received, the Pacific Grove Museum must determine the most appropriate requestor prior to repatriation. Requests for joint repatriation of the cultural item are considered a single request and not competing requests. The Pacific Grove Museum is responsible for sending a copy of this notice to the Indian Tribes and Native Hawaiian organizations identified in this notice and to any other consulting parties.

Authority: Native American Graves Protection and Repatriation Act, 25 U.S.C. 3004 and the implementing regulations, 43 CFR 10.9.

Dated: July 15, 2025.

Mariah Soriano,

Acting Manager, National NAGPRA Program.

[FR Doc. 2025–15963 Filed 8–20–25; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[N6434; NPS–WASO–NAGPRA–NPS0040844; PPWOCRADN0–PCU00RP14.R50000]

Notice of Inventory Completion: Kansas State Historical Society, Topeka, KS

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), the Kansas State Historical Society (KSHS) has completed an inventory of human remains and associated funerary objects and has determined that there is a cultural affiliation between the human remains and associated funerary objects and Indian Tribes or Native Hawaiian organizations in this notice.

DATES: Repatriation of the human remains and associated funerary objects in this notice may occur on or after September 22, 2025.

ADDRESSES: Send written requests for repatriation of the human remains and associated funerary objects in this notice to Dr. Nicole Klarmann, Kansas State Historical Society, 6425 SW 6th Avenue, Topeka, KS 66615–1099, email *kshs.nagpra@ks.gov.*

SUPPLEMENTARY INFORMATION: This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA. The determinations in this notice are the sole responsibility of the KSHS, and additional information on the determinations in this notice, including the results of consultation, can be found in its inventory or related records. The National Park Service is not responsible for the determinations in this notice.

Abstract of Information Available

Human remains representing, at least, four individuals have been identified from Ingalls Mound (14AT316) in Atchison County, KS (UBS 1991–91). The 14 associated funerary objects are pottery sherds, a ground stone axe, rock, and a basalt ground stone pendant. The remains and objects were conveyed to KSHS in 1907.

Human remains representing, at least, two individuals have been identified from Doniphan County, KS (UBS 1989–16B). No associated funerary objects are present. Provenience information is unknown. The remains were exposed to glue, then de-glued using acetone, and then reconstructed with adhesive cyanoacrylate ester.

Human remains representing, at least, 32 individuals have been identified from Matter Mound (14JW303) in Jewell County, KS (UBS 1990–30). The 983 associated funerary objects are shell beads, animal bone beads, chipped stone tools, a pebble, and shell fragments. The human remains and objects are from a rock-filled burial mound first disturbed by pothunters and then excavated by KSHS. Some of the remains were encased in plaster and found to have glue present.

Human remains representing, at least, one individual have been identified from Jewell County, KS (UBS 2001–13A). No associated funerary objects are present. The provenience is uncertain, however, the museum exhibit said these remains were from the 'last Indian raid in KS.'

Human remains representing, at least, one individual have been identified from site 14NH4 in Nemaha County, KS (UBS 2022–05). The two associated funerary objects are animal bones. The human and animal remains were found in the bed of Spring Creek and given to the local sheriff.

Human remains representing, at least, one individual have been identified from the Krob site (14RP319) in Republic County, KS (UBS 1989–16A). No associated funerary objects are present. The remains were found in front of a farmhouse by the landowner and at some point were reconstructed with glue. Shellac is also present.

Human remains representing, at least, one individual have been identified from site 14RP305 in Republic County, KS (UBS 2000–17). No associated funerary objects are present. The remains were disturbed by cultivation and removed by KSHS after reports of bone being found scattered across a field.

Human remains representing, at least, one individual have been identified from site 14RP64 in Republic County, KS (UBS 2021–10). The eight associated funerary objects are pottery sherds. The remains were found on a terrace above Salt Creek and were then conveyed to KSHS.

Human remains representing, at least, one individual have been identified from Republic County (UBS 1999–23). No associated funerary objects are present. These remains were found on a sandbar on the Republican River.

Human remains representing, at least, one individual have been identified from Smith County, KS (UBS 1989–18K). No associated funerary objects are present. This burial was disturbed by a bulldozer and then removed and taken to the Sternberg Museum.

Human remains representing, at least, two individuals have been identified from Marshall County, KS (UBS 2010–02) and Washington County, KS (UBS 2020–03). No associated funerary objects are present. These remains have minimal information and are limited to county-level provenience.

Human remains representing, at least, one individual have been identified from an unknown location (UBS 2016–05). No associated funerary objects are present. These remains were removed from the property of an archeologist after her death. No other provenience information is available.

Unless noted above, no known hazardous substances were used to treat any of the human remains or associated funerary objects.

Cultural Affiliation

Based on the information available and the results of consultation, cultural affiliation is reasonably identified by the geographical location or acquisition history of the human remains and associated funerary objects described in this notice.

Determinations

The KSHS has determined that:

- The human remains described in this notice represent the physical remains of 48 individuals of Native American ancestry.
- The 1,007 objects described in this notice are reasonably believed to have been placed intentionally with or near individual human remains at the time of death or later as part of the death rite or ceremony.
- There is a connection between the human remains and associated funerary objects described in this notice and the Pawnee Nation of Oklahoma.

Requests for Repatriation

Written requests for repatriation of the human remains and associated funerary objects in this notice must be sent to the authorized representative identified in this notice under **ADDRESSES**. Requests for repatriation may be submitted by:

1. Any one or more of the Indian Tribes or Native Hawaiian organizations identified in this notice.
2. Any lineal descendant, Indian Tribe, or Native Hawaiian organization not identified in this notice who shows, by a preponderance of the evidence, that the requestor is a lineal descendant or an Indian Tribe or Native Hawaiian organization with cultural affiliation.

Repatriation of the human remains and associated funerary objects described in this notice to a requestor may occur on or after September 11, 2025. If competing requests for repatriation are received, the KSHS must determine the most appropriate requestor prior to repatriation. Requests for joint repatriation of the human remains and associated funerary objects are considered a single request and not competing requests. The KSHS is responsible for sending a copy of this notice to the Indian Tribes and Native Hawaiian organizations identified in this notice and any other consulting parties.

Authority: Native American Graves Protection and Repatriation Act, 25 U.S.C. 3003, and the implementing regulations, 43 CFR 10.10.

Dated: August 6, 2025.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2025–15965 Filed 8–20–25; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[N6435; NPS–WASO–NAGPRA–NPS0040845; PPWOCRADN0–PCU00RP14.R50000]

Notice of Inventory Completion: Kansas State Historical Society, Topeka, KS

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), the Kansas State Historical Society (KSHS) has completed an inventory of human remains and associated funerary objects and has determined that there is a cultural affiliation between the human remains and associated funerary objects and Indian Tribes or Native Hawaiian organizations in this notice.

DATES: Repatriation of the human remains and associated funerary objects in this notice may occur on or after September 22, 2025.

ADDRESSES: Send written requests for repatriation of the human remains and associated funerary objects in this notice to Dr. Nicole Klarmann, Kansas State Historical Society, 6425 SW 6th Avenue, Topeka, KS 66615–1099, email *kshs.nagpra@ks.gov.*

SUPPLEMENTARY INFORMATION: This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA. The determinations in this notice are the sole responsibility of the KSHS, and additional information on the determinations in this notice, including the results of consultation, can be found in its inventory or related records. The National Park Service is not responsible for the determinations in this notice.

Abstract of Information Available

Human remains representing, at least, one individual have been identified from site 14EW485 in Ellsworth County, KS (UBS 2010–06). No associated funerary objects are present. A human tooth was found in the collections by KSHS lab staff.

Human remains representing, at least, three individuals have been identified from the Davis site (14GE141) in Geary County, KS (UBS 1991–37). The 75 associated funerary objects are pottery sherds, projectile points, a scraper, chipped stone including quartz points and an obsidian core. Human remains and objects were removed from this mound by the landowner in 1879.

Human remains representing, at least, 13 individuals have been identified from the Schiller site (14GE305) in Geary County, KS (UBS 1991–46). The 817 associated funerary objects are projectile points, bone awls, bone hairpins, animal teeth, glass beads, shell beads, and bird bone beads and fragments. The human remains and objects were removed from a mound near Junction City in the 1880's and given to KSHS in 1903 and 1904.

Human remains representing, at least, five individuals have been identified from the Neimuller site (14GE301/14GE3) in Geary County, KS (UBS 1992–16). The 14 associated funerary objects are a pottery sherd, flint chips, and a shell fragment. KSHS completed a salvage excavation after the two stone mounds had already been looted and excavated over the decades.

Human remains representing, at least, three individuals have been identified from Geary County, KS (UBS 1995–16). The one associated funerary object is a bone bead. The remains were removed from a mound near Ft. Riley by an individual who then sold them to a museum.

Human remains representing, at least, one individual have been identified from the Henderson/Indian Statue site (14GE304) in Geary County, KS (UBS 2000–34). The 50 associated funerary objects are dart points, arrow points, cutting and scraping tools, pipestone, pottery, knives, an ax, and stone. This site was disrupted by pothunting and the erection of a statue. The landowner gave the human remains and objects to KSHS in 1900.

Human remains representing, at least, one individual have been identified from the Jewell site (14GE306) in Geary County, KS (UBS 2000–35). The six associated funerary objects are shell

fragments, fossilized bone, an unmodified chert chip, and a unifacial scraper. The human remains and objects were collected from the surface of a mound burial by a KSHS archaeologist.

The eight associated funerary objects from site 14LY304 in Lyon County, KS (UBS 2024–16) are faunal remains and a flake. A rock filled mound was found atop a ridge and was recorded by KSHS in 1964. The University of Tennessee, Knoxville has the associated human remains from this site.

Human remains representing, at least, four individuals have been identified from Range Mound (14ML307) in Mitchell County, KS (UBS 1990–29). The 281 associated funerary objects are shell beads, pottery sherds, bones from various animals including deer, puma, turtle, pronghorn, bobcat, badger, turkey, some modified, chipped stone tools and debris. The human remains and objects are from a rock-filled burial mound that was excavated by KSHS prior to a housing project taking place. There may be shellac on the remains.

Human remains representing, at least, seven individuals have been identified from White Mound (14MO323) in Morris County, KS (UBS 1991–56). The 2,116 associated funerary objects are partial pottery vessels, pottery sherds, projectile points, a scraper, chipped stone debris, shell disc beads, and shell pendants. KSHS excavated this mound as part of the Council Grove reservoir project in 1964. Some of the pots and bowls were reconstructed, however, the records do not specify which type of adhesive was used.

Human remains representing, at least, 11 individuals have been identified from the Vohs site (14OB401) in Osborne County, KS (UBS 1989–18J, UBS 1991–61). The 1,954 associated funerary objects are pottery sherds, shells, worked flint, projectile points, scrapers, rocks, quartzite, cutting tools, a possible knife, a possible shaft smoother, shale, core sections, crystalline, a glass button, hardened and baked clay, and limestone. The remains and objects were removed over time by the landowner and a collector through excavation and surface collecting.

Human remains representing, at least, one individual have been identified from Osborne County, KS (UBS 1990–06A). The 1,307 associated funerary objects are army brass buttons, mess kit and scissors, parts of a bridle and girth, brass bracelets, lead bullets, epaulet of a Lt. Colonel, doll dish, buttons, projectile points, musket caps, a brass spur, cloth, a scraper, non-human bones, a leather pouch, paint, rocks, stone, and beads. The remains and objects were excavated by a professor and his students in 1933. Varnish and glue are present on the remains.

Human remains representing, at least, two individuals have been identified from Osborne County, KS (UBS 1994–02). No associated funerary objects are present. These remains were removed by children playing near the North Fork Solomon River in Downs, KS in 1916.

Human remains representing, at least, one individual have been identified from the Markley House 1 site (14OT308) in Ottawa County, KS (UBS 2001–31). No associated funerary objects are present. Human teeth were found while excavating an earth lodge in the 1940's.

Human remains representing, at least, one individual have been identified from site 14OT402 in Ottawa County, KS (UBS 2008–07). The one associated funerary object is a celt. A bone fragment was found during lab analysis of an assemblage from this site.

Human remains representing, at least, one individual have been identified from the Minneapolis site (14OT5) in Ottawa County, KS (UBS 2011–08). The 14,007 associated funerary objects are bone or shell beads, mussel shells, various chipped stone tools, various ground stone tools, pottery sherds, daub, burned earth, animal bone, and various animal bone tools including needles, potential whistle, fishhook, scapula hoes, awls, pendants, digging stick tips. The human remains and objects were taken by a resident of Salina from the surface of the mound/house feature. Some of the human bone fragments have been reconstructed with glue.

Human remains representing, at least, one individual have been identified from site 14RU326 in Russell County, KS (UBS 1990–36). No associated funerary objects are present. The remains were said to be found on the surface of a pre-historic site on a terrace of Paradise Creek.

Human remains representing, at least, two individuals have been identified from site 14SA2 in Saline County, KS (UBS 1990–07). The 900 associated funerary objects are projectile points, scrapers, a pipe bowl, knife blades, manos, shaft smoothers, and pottery sherds. Two human teeth were found during lab processing and were removed from a possible ossuary.

The 233 associated funerary objects identified from the Salina Burial Pit/Whiteford-Price site (14SA1) in Saline County, KS (UBS 1991–74) are clam shell beads, biface sections, notched points, pottery sherds, worked bone, shells, corn, wax cast of a pot, abrader, chipped stone tools, salina burial pit key, and a pot with ''Indian Burial Salina, Kansas'' written on it (possible souvenir). Human remains were left in place, however, these objects were removed prior to the site being acquired by the state of Kansas, which then sealed the burial ground for protection. Some of the items may have been cleaned with acetone.

The 400 associated funerary objects identified from the Lindeman site (14SA412) in Saline County, KS (UBS 1996–23) are manos, abraders, hammerstone, a nutting stone, celt, scrapers, knives, a projectile point, bifaces, drills, debitage, flakes, a hoe, an awl, and pottery sherds. The human remains from this site were formerly repatriated. These are the objects removed from the site that should have originally remained with them.

Human remains representing, at least, one individual have been identified from the Blue Bead site (14SA301) in Saline County, KS (UBS 2003–01). The 13 associated funerary objects are faunal remains, debitage, burned material, glass, modern ceramic, and sandstone. Plowing and erosion exposed a burial which was removed by the landowner and given to a local museum.

Human remains representing, at least, one individual have been identified from site 14SA424 in Saline County, KS (UBS 2013–05). The 166 associated funerary objects are chipped stone tools, ground stone tools, animal bone, and pottery. The human remains and objects were removed by a local Salina resident from the ground's surface.

Human remains representing, at least, one individual have been identified from site 14SA415 in Saline County, KS (UBS 2021–05). The 921 associated funerary objects are pottery, various chipped stone tools, animal bone, charcoal, wood, burned earth, modified animal bone, and various ground stone tools. The human remains were found among funerary objects recovered near the Salina Burial pit and are associated with that site.

Human remains representing, at least, seven individuals have been identified from Clay County, KS (UBS 1996–20, UBS 1996–21, UBS 2000–39, 14CY458/UBS 2001–27), Cloud County, KS (UBS 2004–18), and Geary County, KS (14GE347/UBS 1990–19). No associated funerary objects are present. These remains were found in or near the Kansas River, the Republican River, or an unrecorded gravel bar.

Human remains representing, at least, four individuals have been identified from Ellsworth County, KS (UBS 1990–04), Ottawa County, KS (UBS 2016–08), and Saline County, KS (UBS 1998–17, UBS 2014–01). No associated funerary objects are present. These remains have

minimal information and are limited to county-level provenience. UBS 2014–01 has varnish or a similar product present and a paper product that is somehow adhered to the remains.

Unless noted above, no known hazardous substances were used to treat any of the human remains or associated funerary objects.

Cultural Affiliation

Based on the information available and the results of consultation, cultural affiliation is reasonably identified by the geographical location or acquisition history of the human remains and associated funerary objects described in this notice.

Determinations

The KSHS has determined that:

- The human remains described in this notice represent the physical remains of 72 individuals of Native American ancestry.
- The 23,270 objects described in this notice are reasonably believed to have been placed intentionally with or near individual human remains at the time of death or later as part of the death rite or ceremony.
- There is a connection between the human remains and associated funerary objects described in this notice and the Pawnee Nation of Oklahoma and the Wichita and Affiliated Tribes (Wichita, Keechi, Waco, & Tawakonie), Oklahoma.

Requests for Repatriation

Written requests for repatriation of the human remains and associated funerary objects in this notice must be sent to the authorized representative identified in this notice under **ADDRESSES**. Requests for repatriation may be submitted by:

1. Any one or more of the Indian Tribes or Native Hawaiian organizations identified in this notice.
2. Any lineal descendant, Indian Tribe, or Native Hawaiian organization not identified in this notice who shows, by a preponderance of the evidence, that the requestor is a lineal descendant or an Indian Tribe or Native Hawaiian organization with cultural affiliation.

Repatriation of the human remains and associated funerary objects described in this notice to a requestor may occur on or after September 22, 2025. If competing requests for repatriation are received, the KSHS must determine the most appropriate requestor prior to repatriation. Requests for joint repatriation of the human remains and associated funerary objects are considered a single request and not competing requests. The KSHS is responsible for sending a copy of this notice to the Indian Tribes and Native Hawaiian organizations identified in this notice and any other consulting parties.

Authority: Native American Graves Protection and Repatriation Act, 25 U.S.C. 3003, and the implementing regulations, 43 CFR 10.10.

Dated: August 6, 2025.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2025–15966 Filed 8–20–25; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[N6446; NPS–WASO–NAGPRA–NPS0040856; PPWOCRADN0–PCU00RP14.R50000]

Notice of Intended Repatriation: Southern Ute Cultural Center and Museum, Ignacio, CO

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), the Southern Ute Cultural Center and Museum (SUCCM) intends to repatriate certain cultural items that meet the definition of sacred objects and that have a cultural affiliation with the Indian Tribes or Native Hawaiian organizations in this notice.

DATES: Repatriation of the cultural items in this notice may occur on or after September 22, 2025.

ADDRESSES: Send additional, written requests for repatriation of the cultural items in this notice to Tallias Cantsee, Southern Ute Cultural Center and Museum, 398 Ouray Drive (737), Ignacio, CO 81137, email *tcantsee@southernute-nsn.gov.*

SUPPLEMENTARY INFORMATION: This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA. The determinations in this notice are the sole responsibility of the Southern Ute Cultural Center and Museum, and additional information on the determinations in this notice, including the results of consultation, can be found in the summary or related records. The National Park Service is not responsible for the determinations in this notice.

Abstract of Information Available

A total of four cultural items have been requested for repatriation. The four sacred objects are three full pipestone stemmed hand carved Pipestone pipes and one lead banded pipestone pipe bowl that were donated to SUCCM in 2023.

These items were donated to SUCCM as a preservation effort by the donor to return a Pan-Native American collection that was being held in a basement and actively deteriorating due to uncontrolled environmental conditions. The donating party historically traded with Tribes in the early 1900's. While there was little to no provenience that accompanied the pipes, SUCCM researched pipes in the historical photographic record of similar institutions. According to the preponderance of evidence the Tribe that was creating and being photographed with full pipestone stemmed pipes, historically are the Lakota. The full pipestone stemmed pipes being a Lakota product was also confirmed with the Yankton Sioux Tribe THPO. The Yankton Sioux Tribe has also acknowledged that they are the Lakota Tribe for deferral in all pipe matters.

Determinations

The Southern Ute Cultural Center and Museum has determined that:

- The four sacred objects described in this notice are specific ceremonial objects needed by a traditional Native American religious leader for present-day adherents to practice traditional Native American religion, according to the Native American traditional knowledge of a lineal descendant, Indian Tribe, or Native Hawaiian organization.
- There is a connection between the cultural items described in this notice and the Yankton Sioux Tribe of South Dakota.

Requests for Repatriation

Additional, written requests for repatriation of the cultural items in this notice must be sent to the authorized representative identified in this notice under **ADDRESSES**. Requests for repatriation may be submitted by any lineal descendant, Indian Tribe, or Native Hawaiian organization not identified in this notice who shows, by a preponderance of the evidence, that the requestor is a lineal descendant or a culturally affiliated Indian Tribe or Native Hawaiian organization.

Repatriation of the cultural items in this notice to a requestor may occur on or after September 22, 2025. If competing requests for repatriation are received, the Southern Ute Cultural Center and Museum must determine the most appropriate requestor prior to repatriation. Requests for joint repatriation of the cultural items are

considered a single request and not competing requests. The Southern Ute Cultural Center and Museum is responsible for sending a copy of this notice to the Indian Tribes and Native Hawaiian organizations identified in this notice and to any other consulting parties.

Authority: Native American Graves Protection and Repatriation Act, 25 U.S.C. 3004 and the implementing regulations, 43 CFR 10.9.

Dated: August 6, 2025.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2025–15977 Filed 8–20–25; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[N6424; NPS–WASO–NAGPRA–NPS0040830; PPWOCRADN0–PCU00RP14.R50000]

Notice of Inventory Completion: U.S. Department of the Interior, Bureau of Land Management, Arizona State Office, Phoenix, AZ

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), the U.S. Department of the Interior, Bureau of Land Management, Arizona State Office (BLM Arizona State Office) has completed an inventory of human remains and has determined that there is a cultural affiliation between the human remains and Indian Tribes or Native Hawaiian organizations in this notice.

DATES: Repatriation of the human remains in this notice may occur on or after September 22, 2025.

ADDRESSES: Send written requests for repatriation of the human remains in this notice to Raymond Suazo, Arizona State Director, BLM Arizona State Office, One North Central Avenue, Suite 800, Phoenix, AZ 85004, email *BLM_AZ_ASOWEB@blm.gov.*

SUPPLEMENTARY INFORMATION: This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA. The determinations in this notice are the sole responsibility of the BLM Arizona State Office, and additional information on the determinations in this notice, including the results of consultation, can be found in its inventory or related records. The National Park Service is not responsible for the determinations in this notice.

Abstract of Information Available

Human remains representing, at least, six individuals have been identified from three sites located in Cochise County, AZ. No associated funerary objects are present.

In 1949, during a survey under the direction of Earl H. Swanson, human remains representing, at least, four individuals were found, recorded, and removed from AZ EE:8:3(ASM) (''Fairbanks Townsite''), a Hohokam site occupied between A.D. 70 and 1150. During surveys conducted in 1968, human remains representing, at least, one individual has been identified from AZ EE:8:38(ASM) (Big Metate Site), a Hohokam village site occupied between A.D. 200–1500 and AZ EE:8:46(ASM) (Turquoise Flat Site), occupied by the Hohokam between A.D. 500 and 1450. The human remains from all three sites are housed at the Arizona State Museum. No records indicating treatment of the human remains with any possibly hazardous substances have been found.

Cultural Affiliation

Based on the information available and the results of consultation, cultural affiliation is clearly identified by the information available about the human remains described in this notice.

Determinations

The BLM Arizona State Office has determined that:

- The human remains described in this notice represent the physical remains of six individuals of Native American ancestry.
- There is a connection between these human remains described in this notice and the Ak-Chin Indian Community; Gila River Indian Community of the Gila River Indian Reservation, Arizona; Pascua Yaqui Tribe of Arizona; Salt River Pima-Maricopa Indian Community of the Salt River Reservation, Arizona; and the Tohono O'odham Nation of Arizona.

Requests for Repatriation

Written requests for repatriation of the human remains in this notice must be sent to the authorized representative identified in this notice under **ADDRESSES**. Requests for repatriation may be submitted by:

1. Any one or more of the Indian Tribes or Native Hawaiian organizations identified in this notice.

2. Any lineal descendant, Indian Tribe, or Native Hawaiian organization not identified in this notice who shows, by a preponderance of the evidence, that the requestor is a lineal descendant or an Indian Tribe or Native Hawaiian organization with cultural affiliation.

Repatriation of the human remains described in this notice to a requestor may occur on or after September 22, 2025. If competing requests for repatriation are received, the BLM Arizona State Office must determine the most appropriate requestor prior to repatriation. Requests for joint repatriation of the human remains are considered a single request and not competing requests. The BLM Arizona State Office is responsible for sending a copy of this notice to the Indian Tribes and Native Hawaiian organizations identified in this notice.

Authority: Native American Graves Protection and Repatriation Act, 25 U.S.C. 3003, and the implementing regulations, 43 CFR 10.10.

Dated: August 5, 2025.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2025–15978 Filed 8–20–25; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[N6442; NPS–WASO–NAGPRA–NPS0040852; PPWOCRADN0–PCU00RP14.R50000]

Notice of Inventory Completion: San Diego State University, San Diego, CA

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), San Diego State University (SDSU) has completed an inventory of associated funerary objects and has determined that there is a cultural affiliation between the associated funerary objects and Indian Tribes or Native Hawaiian organizations in this notice.

DATES: Repatriation of the associated funerary objects in this notice may occur on or after September 22, 2025.

ADDRESSES: Send written requests for repatriation of the associated funerary objects in this notice to Jaime Lennox, San Diego State University, 5500 Campanile Drive, San Diego, CA 92182, email *jlennox@sdsu.edu.*

SUPPLEMENTARY INFORMATION: This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA. The determinations in this notice are the sole responsibility of SDSU, and

additional information on the determinations in this notice, including the results of consultation, can be found in its inventory or related records. The National Park Service is not responsible for the determinations in this notice.

Abstract of Information Available

No human remains are present. The 12 lots of associated funerary objects representing approximately 8,000+ associated funerary objects are one lot of ochre, one lot of unworked shell, one lot of ground stone, one lot of chipped stone, one lot of worked shell, one lot of non-human faunal remains, one lot of vegetal samples, one lot of charcoal samples, one lot of unworked stone, one lot of fire affected rock, one lot of ceramics, and one lot of post-contact items. The associated funerary objects were collected from site CA–SDI–5216 (SDM–W–1456; South Pointe Farms; Woodward Site) located in San Diego County, California between 1977 and 1978 by cultural resource management firm Scientific Resource Surveys, Inc. SDSU received the collection shortly thereafter and assigned the collection accession number SDSU–0015 (CMP–SDSU–0015). Previous repatriation of human remains from the collection (representing at minimum one individual) occurred in 2010 to the Tribes listed in the Determinations section below; the human remains were published in the **Federal Register** on July 18, 2003 (68 FR 42757). It is unknown whether any potentially hazardous substances were used to treat the associated funerary objects or the repatriated human remains.

Cultural Affiliation

Based on the information available and the results of consultation, cultural affiliation is reasonably identified by the geographical location or acquisition history of the associated funerary objects described in this notice.

Determinations

SDSU has determined that:

- The 12 lots of objects described in this notice are reasonably believed to have been placed intentionally with or near individual human remains at the time of death or later as part of the death rite or ceremony.
- There is a connection between the associated funerary objects described in this notice and the Campo Band of Diegueno Mission Indians of the Campo Indian Reservation, California; Capitan Grande Band of Diegueno Mission Indians of California (Barona Group of the Capitan Grande Band of Mission Indians of the Barona Reservation, California; Viejas (Baron Long) Group of Capitan Grande Band of Mission Indians of the Viejas Reservation, California); Ewiiaapaayp Band of Kumeyaay Indians, California; Iipay Nation of Santa Ysabel, California; Inaja Band of Diegueno Mission Indians of the Inaja and Cosmit Reservation, California; Jamul Indian Village of California; La Posta Band of Diegueno Mission Indians of the La Posta Indian Reservation, California; Manzanita Band of Diegueno Mission Indians of the Manzanita Reservation, California; Mesa Grande Band of Diegueno Mission Indians of the Mesa Grande Reservation, California; San Pasqual Band of Diegueno Mission Indians of California; and the Sycuan Band of the Kumeyaay Nation.

Requests for Repatriation

Written requests for repatriation of the associated funerary objects in this notice must be sent to the authorized representative identified in this notice under **ADDRESSES**. Requests for repatriation may be submitted by:

1. Any one or more of the Indian Tribes or Native Hawaiian organizations identified in this notice.

2. Any lineal descendant, Indian Tribe, or Native Hawaiian organization not identified in this notice who shows, by a preponderance of the evidence, that the requestor is a lineal descendant or an Indian Tribe or Native Hawaiian organization with cultural affiliation.

Repatriation of the associated funerary objects described in this notice to a requestor may occur on or after September 22, 2025. If competing requests for repatriation are received, SDSU must determine the most appropriate requestor prior to repatriation. Requests for joint repatriation of the associated funerary objects are considered a single request and not competing requests. SDSU is responsible for sending a copy of this notice to the Indian Tribes and Native Hawaiian organizations identified in this notice and any other consulting parties.

Authority: Native American Graves Protection and Repatriation Act, 25 U.S.C. 3003, and the implementing regulations, 43 CFR 10.10.

Dated: August 6, 2025.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2025–15973 Filed 8–20–25; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

[Docket No. DEA–1587]

Importer of Controlled Substances Application: Cambrex Charles City

AGENCY: Drug Enforcement Administration, Justice.

ACTION: Notice of application.

SUMMARY: Cambrex Charles City has applied to be registered as an importer of basic class(es) of controlled substance(s). Refer to **SUPPLEMENTARY INFORMATION** listed below for further drug information.

DATES: Registered bulk manufacturers of the affected basic class(es), and applicants, therefore, may submit electronic comments on or objections to the issuance of the proposed registration on or before September 22, 2025. Such persons may also file a written request for a hearing on the application on or before September 22, 2025.

ADDRESSES: The Drug Enforcement Administration requires that all comments be submitted electronically through the Federal eRulemaking Portal, which provides the ability to type short comments directly into the comment field on the web page or attach a file for lengthier comments. Please go to *https://www.regulations.gov* and follow the online instructions at that site for submitting comments. Upon submission of your comment, you will receive a Comment Tracking Number. Please be aware that submitted comments are not instantaneously available for public view on *https://www.regulations.gov.* If you have received a Comment Tracking Number, your comment has been successfully submitted and there is no need to resubmit the same comment. All requests for a hearing must be sent to: (1) Drug Enforcement Administration, Attn: Hearing Clerk/OALJ, 8701 Morrissette Drive, Springfield, Virginia 22152; and (2) Drug Enforcement Administration, Attn: DEA Federal Register Representative/DPW, 8701 Morrissette Drive, Springfield, Virginia 22152. All requests for a hearing should also be sent to: Drug Enforcement Administration, Attn: Administrator, 8701 Morrissette Drive, Springfield, Virginia 22152.

SUPPLEMENTARY INFORMATION: In accordance with 21 CFR 1301.34(a), this is notice that on June 23, 2025, Cambrex Charles City, 1205 11th Street, Charles City, Iowa 50616–3466, applied to be registered as an importer of the following basic class(es) of controlled substance(s):

Controlled substance	Drug code	Schedule
Psilocybin	7437	I
4-Anilino-N-phenethyl-4piperidine (ANPP)	8333	II
Phenylacetone	8501	II
Coca Leaves	9040	II
Opium Raw	9600	II
Poppy Straw Concentrate	9670	II

The company plans to import psilocybin for formulation development and clinical trial support for their customers. The remaining listed controlled substances will be imported to support the manufacture into other controlled substances which will be distributed to their customers. No other activities for these drug codes are authorized for this registration.

Approval of permit applications will occur only when the registrant's business activity is consistent with what is authorized under 21 U.S.C. 952(a)(2). Authorization will not extend to the import of Food and Drug Administration-approved or non-approved finished dosage forms for commercial sale.

Justin Wood,

Acting Deputy Assistant Administrator.

[FR Doc. 2025–16005 Filed 8–20–25; 8:45 am]

BILLING CODE P

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

[Docket No. DEA–1589]

Bulk Manufacturer of Controlled Substances Application: Continuus Pharmaceuticals

AGENCY: Drug Enforcement Administration, Justice.

ACTION: Notice of application.

SUMMARY: Continuus Pharmaceuticals has applied to be registered as a bulk manufacturer of basic class(es) of controlled substance(s). Refer to **SUPPLEMENTARY INFORMATION** listed below for further drug information.

DATES: Registered bulk manufacturers of the affected basic class(es), and applicants, therefore, may submit electronic comments on or objections to the issuance of the proposed registration on or before October 20, 2025. Such persons may also file a written request for a hearing on the application on or before October 20, 2025.

ADDRESSES: The Drug Enforcement Administration requires that all comments be submitted electronically through the Federal eRulemaking Portal, which provides the ability to type short comments directly into the comment field on the web page or attach a file for lengthier comments. Please go to *https://www.regulations.gov* and follow the online instructions at that site for submitting comments. Upon submission of your comment, you will receive a Comment Tracking Number. Please be aware that submitted comments are not instantaneously available for public view on *https://www.regulations.gov.* If you have received a Comment Tracking Number, your comment has been successfully submitted and there is no need to resubmit the same comment.

SUPPLEMENTARY INFORMATION: In accordance with 21 CFR 1301.33(a), this is notice that on July 14, 2025, Continuus Pharmaceuticals, 256 West Cummings Park, Woburn, Massachusetts 01801, applied to be registered as a bulk manufacturer of the following basic class(es) of controlled substance(s):

Controlled substance	Drug code	Schedule
Fentanyl	9801	II

The company plans to bulk manufacture the listed controlled substance for research and development purposes only. No other activity for this drug code is authorized for this registration.

Justin Wood,

Acting Deputy Assistant Administrator.

[FR Doc. 2025–16007 Filed 8–20–25; 8:45 am]

BILLING CODE P

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

[Docket No. DEA–1583]

Importer of Controlled Substances Application: Cambrex High Point, Inc.

AGENCY: Drug Enforcement Administration, Justice.

ACTION: Notice of application.

SUMMARY: Cambrex High Point, Inc., has applied to be registered as an importer of basic class(es) of controlled substance(s). Refer to **SUPPLEMENTARY INFORMATION** listed below for further drug information.

DATES: Registered bulk manufacturers of the affected basic class(es), and applicants, therefore, may submit electronic comments on or objections to the issuance of the proposed registration on or before September 22, 2025. Such persons may also file a written request for a hearing on the application on or before September 22, 2025.

ADDRESSES: The Drug Enforcement Administration requires that all comments be submitted electronically through the Federal eRulemaking Portal, which provides the ability to type short comments directly into the comment field on the web page or attach a file for lengthier comments. Please go to *https://www.regulations.gov* and follow the online instructions at that site for submitting comments. Upon submission of your comment, you will receive a Comment Tracking Number. Please be aware that submitted comments are not instantaneously available for public view on *https://www.regulations.gov.* If you have received a Comment Tracking Number, your comment has been successfully submitted and there is no need to resubmit the same comment. All requests for a hearing must be sent to: (1) Drug Enforcement Administration, Attn: Hearing Clerk/OALJ, 8701 Morrissette Drive, Springfield, Virginia 22152; and (2) Drug Enforcement Administration, Attn: DEA Federal Register Representative/DPW, 8701 Morrissette Drive, Springfield, Virginia 22152. All requests for a hearing should also be sent to: Drug Enforcement Administration, Attn: Administrator, 8701 Morrissette Drive, Springfield, Virginia 22152.

SUPPLEMENTARY INFORMATION: In accordance with 21 CFR 1301.34(a), this is notice that on July 16, 2025, Cambrex High Point, Inc., 4180 Mendenhall Oaks Parkway, High Point, North Carolina 27265–8017, applied to be registered as an importer of the following basic class(es) of controlled substance(s):

Controlled substance	Drug code	Schedule
Poppy Straw Concentrate	9670	II

The company plans to import the listed controlled substance for research and development purposes. No other activity for this drug code is authorized for this registration.

Approval of permit applications will occur only when the registrant's business activity is consistent with what is authorized under 21 U.S.C. 952(a)(2). Authorization will not extend to the import of Food and Drug Administration-approved or non-approved finished dosage forms for commercial sale.

Justin Wood,

Acting Deputy Assistant Administrator.

[FR Doc. 2025–16002 Filed 8–20–25; 8:45 am]

BILLING CODE P

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

[Docket No. DEA–1588]

Importer of Controlled Substances Application: Vici Health Sciences, LLC

AGENCY: Drug Enforcement Administration, Justice.

ACTION: Notice of application.

SUMMARY: Vici Health Sciences, LLC. has applied to be registered as an importer of basic class(es) of controlled substance(s). Refer to **SUPPLEMENTARY INFORMATION** listed below for further drug information.

DATES: Registered bulk manufacturers of the affected basic class(es), and applicants, therefore, may submit electronic comments on or objections to the issuance of the proposed registration on or before September 22, 2025. Such persons may also file a written request for a hearing on the application on or before September 22, 2025.

ADDRESSES: The Drug Enforcement Administration requires that all comments be submitted electronically through the Federal eRulemaking Portal, which provides the ability to type short comments directly into the comment field on the web page or attach a file for lengthier comments. Please go to *https://www.regulations.gov* and follow the online instructions at that site for submitting comments. Upon submission of your comment, you will receive a Comment Tracking Number. Please be aware that submitted comments are not instantaneously available for public view on *https://www.regulations.gov.* If you have received a Comment Tracking Number, your comment has been successfully submitted and there is no need to resubmit the same comment. All requests for a hearing must be sent to: (1) Drug Enforcement Administration, Attn: Hearing Clerk/OALJ, 8701 Morrissette Drive, Springfield, Virginia 22152; and (2) Drug Enforcement Administration, Attn: DEA Federal Register Representative/DPW, 8701 Morrissette Drive, Springfield, Virginia 22152. All requests for a hearing should also be sent to: Drug Enforcement Administration, Attn: Administrator, 8701 Morrissette Drive, Springfield, Virginia 22152.

SUPPLEMENTARY INFORMATION: In accordance with 21 CFR 1301.34(a), this is notice that on May 30, 2025, Vici Health Sciences, LLC, 6655 Amberton Drive, Suite O, Elkridge, Maryland 21075–6202, applied to be registered as an importer of the following basic class(es) of controlled substance(s):

Controlled substance	Drug code	Schedule
Fentanyl-related compounds as defined in 21 CFR 1308.11(h).	9850	I

The company plans to import the listed controlled substance as part of a manufacturing process supporting research and clinical trial efforts. No other activity for this drug code is authorized for this registration.

Approval of permit applications will occur only when the registrant's business activity is consistent with what is authorized under 21 U.S.C. 952(a)(2). Authorization will not extend to the import of Food and Drug Administration-approved or non-approved finished dosage forms for commercial sale.

Justin Wood,

Acting Deputy Assistant Administrator.

[FR Doc. 2025–16006 Filed 8–20–25; 8:45 am]

BILLING CODE 4410–09–P

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

[Docket No. DEA–1585]

Bulk Manufacturer of Controlled Substances Application: Cambrex High Point, Inc.

AGENCY: Drug Enforcement Administration, Justice.

ACTION: Notice of application.

SUMMARY: Cambrex High Point, Inc. has applied to be registered as a bulk manufacturer of basic class(es) of controlled substance(s). Refer to **SUPPLEMENTARY INFORMATION** listed below for further drug information.

DATES: Registered bulk manufacturers of the affected basic class(es), and applicants, therefore, may submit electronic comments on or objections to the issuance of the proposed registration on or before October 20, 2025. Such persons may also file a written request for a hearing on the application on or before October 20, 2025.

ADDRESSES: The Drug Enforcement Administration requires that all comments be submitted electronically through the Federal eRulemaking Portal, which provides the ability to type short comments directly into the comment field on the web page or attach a file for lengthier comments. Please go to *https://www.regulations.gov* and follow the online instructions at that site for submitting comments. Upon submission of your comment, you will receive a Comment Tracking Number. Please be aware that submitted comments are not instantaneously available for public view on *https://www.regulations.gov.* If you have received a Comment Tracking Number, your comment has been successfully submitted and there is no need to resubmit the same comment.

SUPPLEMENTARY INFORMATION: In accordance with 21 CFR 1301.33(a), this is notice that on July 18, 2025, Cambrex High Point, Inc., 4180 Mendenhall Oaks Parkway, High Point, North Carolina 27265–8017, applied to be registered as a bulk manufacturer of the following basic class(es) of controlled substance(s):

Controlled substance	Drug code	Schedule
Oxymorphone	9652	II
Noroxymorphone.	9668	II

The company plans to manufacture the above listed controlled substances in bulk for use as an internal intermediates and distribution to its customers. No other activities for these drug codes are authorized for this registration.

Justin Wood,

Acting Deputy Assistant Administrator.

[FR Doc. 2025–16003 Filed 8–20–25; 8:45 am]

BILLING CODE P

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

[Docket No. DEA–1586]

Importer of Controlled Substances Application: Catalent CTS, LLC

AGENCY: Drug Enforcement Administration, Justice.

ACTION: Notice of application.

SUMMARY: Catalent CTS, LLC. has applied to be registered as an importer of basic class(es) of controlled substance(s). Refer to Supplementary Information listed below for further drug information.

DATES: Registered bulk manufacturers of the affected basic class(es), and applicants, therefore, may submit electronic comments on or objections to the issuance of the proposed registration on or before September 22, 2025. Such persons may also file a written request for a hearing on the application on or before September 22, 2025.

ADDRESSES: The Drug Enforcement Administration requires that all comments be submitted electronically through the Federal eRulemaking Portal, which provides the ability to type short comments directly into the comment field on the web page or attach a file for lengthier comments. Please go to *https://www.regulations.gov* and follow the online instructions at that site for submitting comments. Upon submission of your comment, you will receive a Comment Tracking Number. Please be aware that submitted comments are not instantaneously available for public view on *https://www.regulations.gov.* If you have received a Comment Tracking Number, your comment has been successfully submitted and there is no need to resubmit the same comment. All requests for a hearing must be sent to: (1) Drug Enforcement Administration, Attn: Hearing Clerk/OALJ, 8701 Morrissette Drive, Springfield, Virginia 22152; and (2) Drug Enforcement Administration, Attn: DEA Federal Register Representative/DPW, 8701 Morrissette Drive, Springfield, Virginia 22152. All requests for a hearing should also be sent to: Drug Enforcement Administration, Attn: Administrator, 8701 Morrissette Drive, Springfield, Virginia 22152.

SUPPLEMENTARY INFORMATION: In accordance with 21 CFR 1301.34(a), this is notice that on July 17, 2025, Catalent CTS, LLC., 10245 Hickman Mills Drive, Kansas City, Missouri 64137–1418, applied to be registered as an importer of the following basic class(es) of controlled substance(s):

Controlled substance	Drug code	Schedule
Gamma Hydroxybutyric Acid.	2010	I
Marihuana Extract	7350	I
Marihuana	7360	I
Tetrahydrocannabinols	7370	I

The company plans to import the listed controlled substances as bulk and dosage unit products for clinical trials and distribution. In reference to drug code 7370 (Tetrahydrocannabinols), the company plans to import a synthetic tetrahydrocannabinol. No other activities for these drug codes are authorized for this registration.

Approval of permit applications will occur only when the registrant's business activity is consistent with what is authorized under 21 U.S.C. 952(a)(2). Authorization will not extend to the import of Food and Drug Administration-approved or non-approved finished dosage forms for commercial sale.

Justin Wood,

Acting Deputy Assistant Administrator.

[FR Doc. 2025–16004 Filed 8–20–25; 8:45 am]

BILLING CODE P

DEPARTMENT OF JUSTICE

[OMB Number 1122–0023]

Agency Information Collection Activities; Proposed eCollection eComments Requested; Extension of a Previously Approved Collection; Title Semi-Annual Progress Report for Grantees From the Sexual Assault Services Program—Grants to Culturally Specific Programs

AGENCY: Office on Violence Against Women, Department of Justice.

ACTION: 60-Day notice.

SUMMARY: The Office on Violence Against Women, Department of Justice (DOJ), will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995.

DATES: Comments are encouraged and will be accepted for 60 days until October 20, 2025.

FOR FURTHER INFORMATION CONTACT: If you have additional comments especially on the estimated public burden or associated response time, suggestions, or need a copy of the proposed information collection instrument with instructions or additional information, please contact Tiffany Watson, Office on Violence Against Women, at 202–307–6026 or *Tiffany.Watson@usdoj.gov.*

SUPPLEMENTARY INFORMATION: Written comments and suggestions from the public and affected agencies concerning the proposed collection of information are encouraged. Your comments should address one or more of the following four points:

—Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the Office on Violence Against Women, including whether the information will have practical utility;

—Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

—Evaluate whether, and if so how, the quality, utility, and clarity of the information to be collected can be enhanced; and

—Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of responses.

Abstract: Sexual Assault Services Program—Grants to Culturally Specific Programs (SASP–CSP) funding is awarded to nonprofit organizations that focus primarily on culturally specific communities and that have experience in the area of sexual assault or who partner with an organization having such expertise. SASP–CSP funds are used to establish, maintain, and expand sustainable, culturally appropriate services that address the unique needs and challenges of victims of sexual assault from culturally specific communities. The grant funds are distributed to grantees as outlined under the provisions of the Violence Against Women Act, 34 U.S.C. 12511(c).

Overview of This Information Collection

1. *Type of Information Collection:* Extension of a currently approved collection.

2. *Title of the Form/Collection:* Semi-Annual Progress Report for Grantees from the Sexual Assault Services Program—Grants to Culturally Specific Programs (SASP–CSP).

3. *Agency form number, if any, and the applicable component of the Department of Justice sponsoring the collection: Form Number:* 1122–0023. U.S. Department of Justice, Office on Violence Against Women.

4. *Affected public who will be asked or required to respond, as well as a brief abstract:* The affected public includes the approximately 23 grantees of the SASP Culturally Specific Program. This program supports projects that create,

maintain and expand sustainable sexual assault services provided by culturally specific organizations, which are uniquely situated to respond to the needs of sexual assault victims within culturally specific populations.

5. *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond/reply:* It is estimated that it will take the approximately 23 respondents (SASP–CSP grantees) approximately one hour to complete a semi-annual progress report. The semi-annual progress report is divided into sections that pertain to the different types of activities in which grantees may engage. A SASP–CSP grantee will only be required to complete the sections of the form that pertain to its own specific activities.

6. *An estimate of the total public burden (in hours) associated with the collection:* The total annual hour burden to complete the data collection forms is 46 hours, that is 23 grantees completing a form twice a year with an estimated completion time for the form being one hour.

7. *An estimate of the total annual cost burden associated with the collection, if applicable:* The annualized costs to the Federal Government resulting from the OVW staff review of the progress reports submitted by grantees are estimated to be $2,667.

8.

Activity	Number of respondents	Frequency (annually)	Total annual responses	Time per response	Total annual burden (hours)
Progress Report Form	23	2	46	1 hour	46
Unduplicated Totals	23		46		46

If additional information is required contact: Darwin Arceo, Department Clearance Officer, United States Department of Justice, Justice Management Division, Policy and Planning Staff, Two Constitution Square, 145 N Street NE, 4W–218, Washington, DC.

Dated: August 19, 2025.

Darwin Arceo,

Department Clearance Officer for PRA, U.S. Department of Justice.

[FR Doc. 2025–16042 Filed 8–20–25; 8:45 am]

BILLING CODE 4410–FX–P

DEPARTMENT OF LABOR

Employment and Training Administration

Agency Information Collection Activities; Comment Request; Post Separation Data Collection for Former Job Corps Participants

ACTION: Notice.

SUMMARY: The Department of Labor's (DOL) Employment and Training Administration (ETA) is soliciting comments concerning a proposed extension for the authority to conduct the information collection request (ICR) titled, ''Post Separation Data Collection for Former Job Corps Participants.'' This comment request is part of continuing Departmental efforts to reduce paperwork and respondent burden in accordance with the Paperwork Reduction Act of 1995 (PRA).

DATES: Consideration will be given to all written comments received by October 20, 2025.

ADDRESSES: A copy of this ICR with applicable supporting documentation, including a description of the likely respondents, proposed frequency of response, and estimated total burden, may be obtained free by contacting *JobCorps-DPCP@dol.gov.* For persons with a hearing or speech disability who need assistance to use the telephone system, please dial 711 to access telecommunications relay services.

Submit written comments about, or requests for a copy of, this ICR by mail or courier to the U.S. Department of Labor, Employment and Training, Office of Job Corps, 200 Constitution Avenue NW, N–4459, Washington, DC 20210; or by email: *JobCorps-DPCP@dol.gov.*

FOR FURTHER INFORMATION CONTACT: Michelle Mills at *JobCorps-DPCP@dol.gov.*

Authority: 44 U.S.C. 3506(c)(2)(A).

SUPPLEMENTARY INFORMATION: DOL, as part of continuing efforts to reduce paperwork and respondent burden, conducts a pre-clearance consultation program to provide the general public and Federal agencies an opportunity to comment on proposed and/or continuing collections of information before submitting them to the Office of Management and Budget (OMB) for final approval. This program helps to ensure requested data can be provided in the desired format, reporting burden (time and financial resources) is minimized, collection instruments are clearly understood, and the impact of collection requirements can be properly assessed.

The 2014 Workforce Innovation Opportunity Act (WIOA) authorizes the collection of information and required the Office of Job Corps to collect and report specific post enrollment outcomes for eligible Job Corps participants beginning in Program Year (PY) 2016. The WIOA performance reporting requirements, which replaced those of the 1998 Workforce Investment Act (WIA), are designed to provide a common set of metrics to be reported by similar programs. WIOA substantially changed many outcome metrics for Job Corps compared to those required under WIA. To collect the necessary information to meet the WIOA reporting requirements, the Office of Job Corps revised its Post Enrollment Data Collection (PEDC) system in 2019, which primarily collects data through survey instruments, and obtained OMB approval under the PRA for this modified system.

This information collection is subject to the PRA. A Federal agency generally cannot conduct or sponsor a collection of information, and the public is generally not required to respond to an information collection, unless it is approved by OMB under the PRA and displays a currently valid OMB Control Number. In addition, notwithstanding any other provisions of law, no person shall generally be subject to penalty for failing to comply with a collection of information that does not display a valid Control Number. *See* 5 CFR 1320.5(a) and 1320.6.

Interested parties are encouraged to provide comments to the contact shown in the **ADDRESSES** section. Comments must be written to receive consideration, and they will be summarized and included in the request for OMB approval of the final ICR. In order to help ensure appropriate consideration, comments should mention OMB Control Number 1205–0426.

Submitted comments will also be a matter of public record for this ICR and posted on the internet, without redaction. DOL encourages commenters not to include personally identifiable information, confidential business data, or other sensitive statements/information in any comments.

DOL is particularly interested in comments that:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Enhance the quality, utility, and clarity of the information to be collected; and
- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, (*e.g.,* permitting electronic submission of responses).

Agency: DOL–ETA OJC.

Type of Review: Revision.

Title of Collection: Post Separation Data Collection for Job Corps Participants.

Form: Appendix A: Job Corps Participants at Quarter 2, Appendix B: Continued Engagement Survey, Appendix C: Job Corps Participants at Quarter 4, and Appendix D: Employer and Work-based Learning Partner Satisfaction Survey.

OMB Control Number: 1205–0426.

Affected Public: Individual.

Estimated Number of Respondents: 52,680.

Frequency:

- Appendix A: Once at Quarter 2
- Appendix B: Bi-Annually
- Appendix C: Once at Quarter 4
- Appendix D: Once

Total Estimated Annual Responses: 52,680.

Estimated Average Time per Response: Varies.

Estimated Total Annual Burden Hours: 9,484 hours.

Total Estimated Annual Other Cost Burden: $0.

Susan Frazier,

Acting Assistant Secretary for Employment and Training, Labor.

[FR Doc. 2025–15956 Filed 8–20–25; 8:45 am]

BILLING CODE 4510–FT–P

DEPARTMENT OF LABOR

Employment and Training Administration

Agency Information Collection Activities; Comment Request; Agricultural Recruitment System Forms Affecting Migratory Farm Workers

ACTION: Notice.

SUMMARY: The Department of Labor's (DOL) Employment and Training Administration (ETA) is soliciting comments concerning proposed revisions to the information collection request (ICR) entitled, ''Agricultural Recruitment System Forms Affecting Migratory Farm Workers'' (Office of Management and Budget (OMB) Control Number 1205–0134). This comment request is part of continuing Departmental efforts to reduce paperwork and respondent burden in accordance with the Paperwork Reduction Act of 1995 (PRA).

DATES: Consideration will be given to all written comments received by October 20, 2025.

ADDRESSES: A copy of this ICR with applicable supporting documentation, including a description of the likely respondents, proposed frequency of response, and estimated total burden, may be obtained free by contacting Laura Tramontana by email at *NMA@dol.gov* or telephone at 202–693–3980 (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.

Submit written comments about, or requests for a copy of, this ICR by mail or courier to the U.S. Department of Labor, Employment and Training Administration, Office of Workforce Investment, Room C 4510, 200 Constitution Avenue NW, Washington, DC 20210; by email: *NMA@dol.gov;* or by fax 202–693–3981.

FOR FURTHER INFORMATION CONTACT: Laura Tramontana by email at *NMA@dol.gov* or by telephone at 202–693–3980 (this is not a toll-free number).

Authority: 44 U.S.C. 3506(c)(2)(A).

SUPPLEMENTARY INFORMATION: DOL, as part of continuing efforts to reduce paperwork and respondent burden, conducts a pre-clearance consultation program to provide the general public and Federal agencies an opportunity to comment on proposed and/or continuing collections of information before submitting them to the Office of Management and Budget (OMB) for final approval. This program helps to ensure requested data can be provided in the desired format, reporting burden (time and financial resources) is minimized, collection instruments are clearly understood, and the impact of collection requirements can be properly assessed.

This Information Collection Request (ICR) relates to the Notice of Proposed Rulemaking (NPRM) RIN 1205–AC25, *Recission of Final Rule: Improving Protections for Workers in Temporary Agricultural Employment in the United States*,[1] and the Agricultural Recruitment System (ARS) administered by ETA. While the NPRM affects two ICRs (OMB Control Numbers 1205–0466, *H–2A Temporary Agricultural Labor Certification Program* and 1205–0134, *Agricultural Recruitment System Forms Affecting Migratory Farm Workers*), this FRN applies only to OMB Control Number 1205–0134. As part of the above-mentioned rulemaking, the Department requests to revise OBM Control Number 1205–0134 to collect information through Form ETA–790B, which is necessary for processing ARS clearance orders that are not placed in connection with the H–2A program (non-criteria clearance orders) under 20 CFR part 653, subpart F. ETA's proposed revisions to Form ETA–790B align with the structure of Form ETA–790A, *H–2A Agricultural Clearance Order* (OMB Control Number 1205–0466, *H–2A Temporary Agricultural Labor Certification Program*), which employers and State Workforce Agencies (SWA) use to process clearance orders that are placed in connection with the H–2A program (criteria clearance orders). Further, this update to OMB Control Number 1205–0134 includes changes that improve clarity for employers, including formatting and applicable addenda for Form ETA–790B.

Wagner-Peyser Employment Service (ES) regulations at 20 CFR part 653, subpart F describe requirements for ARS clearance orders, including that SWAs must ensure the agricultural clearance form prescribed by the Department (Form ETA–790 or its subsequently issued form), and its attachments are complete when placing intrastate or interstate clearance orders seeking workers. (20 CFR 653.501(b)(1)). ETA created Form ETA–790B to process clearance orders that are not placed in connection to H–2A Applications for Temporary Employment Certification (non-criteria clearance orders).

[1] *See Recission of Final Rule: Improving Protections for Workers in Temporary Agricultural Employment in the United States,* 90 FR 28919 (Jul. 2, 2025).

Employers submitting non-criteria clearance orders must attach Form ETA–790B to Form ETA–790 (which is approved under OMB Control Number 1205–0466). Pursuant to 2 CFR 200.334, SWAs must retain all Federal award records (which includes Forms ETA–790 and ETA–790B) for three years from the date of submission of their final financial report. While Form ETA–790B only applies to non-criteria clearance orders, the Department includes the estimated burden to the public for the completion of Form ETA–790, in addition to the estimated burden for the Form ETA–790B, to the extent that it applies to employers submitting non-criteria agricultural clearance orders that must complete both forms.

This information collection is subject to the PRA. A Federal agency generally cannot conduct or sponsor a collection of information, and the public is generally not required to respond to an information collection, unless it is approved by OMB under the PRA and displays a currently valid OMB Control Number. In addition, notwithstanding any other provisions of law, no person shall generally be subject to penalty for failing to comply with a collection of information that does not display a valid Control Number. *See* 5 CFR 1320.5(a) and 1320.6.

Interested parties are encouraged to provide comments to the contact shown in the **ADDRESSES** section. Comments must be written to receive consideration, and they will be summarized and included in the request for OMB approval of the final ICR. In order to help ensure appropriate consideration, comments should mention OMB Control Number 1205–0134.

Submitted comments will also be a matter of public record for this ICR and posted on the internet, without redaction. DOL encourages commenters not to include personally identifiable information, confidential business data, or other sensitive statements/information in any comments.

DOL is particularly interested in comments that:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the Agency, including whether the information will have practical utility;
- Evaluate the accuracy of the Agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Enhance the quality, utility, and clarity of the information to be collected; and
- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, (*e.g.,* permitting electronic submission of responses).

Agency: DOL–ETA.

Type of Review: Revision.

Title of Collection: Agricultural Recruitment System Forms Affecting Migratory Farm Workers.

Form: ETA–790B.

OMB Control Number: 1205–0134.

Affected Public: State Governments, Private Sector: Business or other for-profits, not-for-profit institutions, and farms.

Estimated Number of Respondents: 6,896.

Frequency: 1.

Total Estimated Annual Responses: 6,896.

Estimated Average Time per Response: Varies.

Estimated Total Annual Burden Hours: 6,034 hours.

Total Estimated Annual Other Cost Burden: $0.

Susan Frazier,

Acting Assistant Secretary for Employment and Training, Labor.

[FR Doc. 2025–15957 Filed 8–20–25; 8:45 am]

BILLING CODE 4510–FN–P

NUCLEAR REGULATORY COMMISSION

[Docket No. 50–255; NRC–2024–0123]

Holtec Palisades, LLC; Holtec Decommissioning International, LLC; Palisades Nuclear Plant; Petition

AGENCY: Nuclear Regulatory Commission.

ACTION: Director's decision under 10 CFR 2.206; issuance.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) has issued a director's decision with regard to a petition dated December 5, 2023, as supplemented by public meeting transcript dated April 10, 2024, filed by Beyond Nuclear, Michigan Safe Energy Future, and Don't Waste Michigan (the petitioner), requesting that the NRC take action with regard to Holtec Palisades, LLC and Holtec Decommissioning International, LLC (the licensee). The petitioner's requests and the director's decision are included in the **SUPPLEMENTARY INFORMATION** section of this document.

DATES: The director's decision was issued on August 14, 2025.

ADDRESSES: Please refer to Docket ID NRC–2024–0123 when contacting the NRC about the availability of information regarding this document. You may obtain publicly available information related to this document using any of the following methods:

- *Federal Rulemaking Website:* Go to *https://www.regulations.gov* and search for Docket ID NRC–2024–0123. 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(s) listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.
- *NRC's Agencywide Documents Access and Management System (ADAMS):* You may obtain publicly available documents online in the ADAMS Public Documents collection at *https://www.nrc.gov/reading-rm/adams.html.* To begin the search, select ''Begin ADAMS Public Search.'' For problems with ADAMS, please contact the NRC's Public Document Room (PDR) reference staff at 1–800–397–4209, at 301–415–4737, or by email to *PDR.Resource@nrc.gov.* For the convenience of the reader, instructions about obtaining materials referenced in this document are provided in the ''Availability of Documents'' section.
- *NRC's PDR:* The PDR, where you may examine and order copies of publicly available documents, is open by appointment. To make an appointment to visit the PDR, please send an email to *PDR.Resource@nrc.gov* or call 1–800–397–4209 or 301–415–4737, between 8 a.m. and 4 p.m. eastern time (ET), Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: Zachary M. Turner, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001; telephone: 301–415–2258; email: *Zachary.Turner@nrc.gov.*

SUPPLEMENTARY INFORMATION: The text of the director's decision is attached.

Availability of Documents: The documents identified in the following table are available to interested persons through ADAMS.

Document description	ADAMS accession No.
Palisades Exemption Request—Exemption from Certain Termination of License Requirements of 10 CFR 50.82, dated September 28, 2023.	ML23271A140.
Petition to Intervene and Request for Adjudicatory Hearing by Beyond Nuclear, Don't Waste Michigan, and Michigan Safe Energy Future, dated December 5, 2023.	ML23339A192.
Petitioners' Reply in Support of Petition for Leave to Intervene Against Palisades Exemption, dated December 18, 2023	ML23352A215.
NRC SECY Order referring the petition to the 10 CFR 2.206 process, dated December 18, 2023	ML23352A325.
NRC Management Directive 8.11, ''Review Process for 10 CFR 2.206 Petitions,'' dated March 1, 2019	ML18296A043.
Email from the NRC to the Petitioners regarding Palisades Misuse of Decommissioning Trust Fund 2.206 Petition—Initial Screening Notification, dated February 1, 2024.	ML24032A244.
Email from the NRC to the Petitioners regarding Palisades Misuse of Decommissioning Trust Fund 2.206 Petition—Initial Assessment Notification, dated February 29, 2024.	ML24061A014.
Public Meeting Official Transcript of Proceedings, dated April 10, 2024	ML24114A016.
Email from the NRC to the Petitioners regarding Palisades Misuse of Decommissioning Trust Fund 2.206 Petition—Abeyance Notification, dated May 15, 2024.	ML24170A881.
NRC Acknowledgement Letter, dated July 2, 2024	ML24137A014.
Proposed Director's Decision, dated June 18, 2025	ML25097A165 (package).
Proposed Director's Decision, dated June 18, 2025	ML25097A167.
NRC Letter—Proposed Director's Decision, dated June 18, 2025	ML25097A168.
NRC Letter—Proposed Director's Decision, dated June 18, 2025	ML25097A169.
Comments on Proposed Director's Decision, dated July 2, 2025	ML25183A399.
Director's Decision—DD–25–02, dated August 14, 2025	ML25199A053 (package).
Director's Decision—DD–25–02, dated August 14, 2025	ML25199A096.
Director's Decision—Letter to Petitioners, dated August 14, 2025	ML25199A095.
Regulatory Guide 1.184, Revision 1, ''Decommissioning of Nuclear Power Reactors,'' published October 2013	ML13144A840.
Palisades Nuclear Plant, Post Shutdown Decommissioning Activities Report (PDSAR) Including Site-Specific Decommissioning Cost Estimate for Palisades Nuclear Plant, dated December 23, 2020.	ML20358A232.
NRC Approval of Palisades Exemption—Exemption from 10 CFR 50.82(a)(8)(i)(A) and 10 CFR 50.75(h)(1)(iv) for Holtec Decommissioning International, LLC, dated December 13, 2021.	ML21286A294 and ML21286A506.
Response to Palisades Nuclear Plant—Request for Additional Information Related to the Post-Shutdown Decommissioning Activities Report, dated March 1, 2023.	ML23060A039.
NRC Letter—Palisades Nuclear Plant—Review of the Post-Shutdown Decommissioning Activities Report, dated May 2, 2023	ML23087A036.
NRC Inspection Procedure 71801, ''Decommissioning Performance and Status Reviews at Permanently Shutdown Reactors,'' dated January 1, 2021.	ML20240A293.
NRC Inspection Report No. 05000255/2023002, dated July 19, 2023	ML23200A142.
NRC Inspection Report No. 05000255/2023003, dated October 4, 2023	ML23276B452.
NRC Inspection Report No. 05000255/2023004, dated February 20, 2024	ML24045A147.
NRC Inspection Report No. 05000255/2024004, dated February 14, 2025	ML25041A225.
Calendar Year 2023—Report on Status of Decommissioning Funding for Reactors and Independent Spent Fuel Storage Installations—Holtec Decommissioning International, LLC, dated March 29, 2024.	ML24089A117.
Calendar Year 2023—Results of the NRC Analysis of the Decommissioning Funding Status Reports for Various Decommissioning Reactors, dated September 18, 2024.	ML24240A169.

Dated: August 19, 2025.

For the Nuclear Regulatory Commission.

Zachary Turner,

Project Manager, Plant Licensing Branch II–1, Division of Operating Reactor Licensing, Office of Nuclear Reactor Regulation.

United States of America

Nuclear Regulatory Commission

Office of Nuclear Reactor Regulation

Jeremy Groom, Acting Deputy Director

In the Matter of: Holtec Palisades, LLC, and Holtec Decommissioning International, LLC, Palisades Nuclear Plant, Docket No. 50–255, License No. DPR–20

Director's Decision Under 10 CFR 2.206

I. Introduction

On September 28, 2023, Holtec Decommissioning International, LLC (Holtec), on behalf of Holtec Palisades, LLC, submitted a request to exempt the Palisades Nuclear Plant (Palisades) from certain requirements in Title 10 of the *Code of Federal Regulations* (10 CFR) 50.82, ''Termination of license'' (Agencywide Documents Access and Management System (ADAMS) Accession No. ML23271A140). By letter dated December 5, 2023, and in response to Holtec's exemption request, Beyond Nuclear, Michigan Safe Energy Future, and Don't Waste Michigan (the petitioner) filed a petition to intervene and a request for hearing on that exemption request (ML23339A192). On December 18, 2023, the Commission denied the request for hearing and referred Contention 2 of the petition, which asserted Holtec's misuse of decommissioning funds, to the enforcement process under 10 CFR 2.206, ''Requests for action under this subpart'' (ML23352A325).

The underlying concern in Contention 2 of the December 5, 2023, request is that Holtec has misused the decommissioning trust fund (DTF) to keep Palisades in a status to restart the reactor, rather than to decommission the plant. The petitioner cited 10 CFR 50.82(a)(8) regarding appropriate uses of the DTF. Specifically, the petitioner asserted the following:

1. Holtec expended $44 million from the Palisades DTF from June 28 to December 31, 2022.

2. Holtec continued improper utilization of the Palisades DTF from December 31, 2022, to the present.

The staff of the U.S. Nuclear Regulatory Commission (NRC) assembled a Petition Review Board (PRB) in accordance with Management Directive (MD) 8.11, ''Review Process for 10 CFR 2.206 Petitions,'' dated March 1, 2019, and its associated Directive Handbook 8.11, section III, dated March 1, 2019 (ML18296A043). On February 29, 2024 (ML24061A014), the petition manager informed the petitioner that the PRB's initial assessment was to not accept the petition for review. The PRB's position was that the petition did not meet the MD 8.11 criteria for acceptance under 10 CFR 2.206 because the issues raised regarding Holtec's use of the Palisades DTF in 2022 had already been addressed through the NRC's inspection and enforcement process.

In August and November 2023 (ML23276B452 and ML24045A147, respectively), the NRC completed inspections that addressed, in part, the use of the Palisades DTF. As a result of these inspections, the NRC identified several instances, totaling just over $57,000, of the licensee using the Palisades DTF to pay for activities not considered legitimate decommissioning

expenses under the definition in 10 CFR 50.2, ''Definitions.''

The NRC confirmed that the unauthorized reimbursements from the Palisades DTF resulted from inadvertent oversights or inattention to detail, or both, in the coding associated with the billing for various projects and community donations. The licensee has implemented several process revisions to address order coding modification issues and errors, as well as training to eliminate these issues from future DTF expenditures. The licensee also reimbursed the unauthorized expenses to the Palisades DTF. On February 20, 2024 (ML24045A147), the NRC issued Holtec a Severity Level IV noncited violation to address the illegitimate use of decommissioning funds at Palisades stemming from the staff's findings during the November 2023 inspection.

On February 29, 2024, the petition manager offered the petitioner an opportunity to address the PRB in a public meeting (ML24061A014), which subsequently took place on April 10, 2024. The transcript of that meeting (ML24114A016) is publicly available in ADAMS and is considered a supplement to the petition.

During the April 10, 2024, public meeting, the petitioner discussed DTF expenditures of $120 million noted in the 2023 Decommissioning Funding Status Report for Palisades, which was submitted to the NRC on March 29, 2024 (ML24089A117). The petitioner also raised concerns about whether the $120 million was properly used for decommissioning expenditures in accordance with NRC requirements and guidance.

Following the April 10, 2024, public meeting, the PRB met to consider what had been presented during the session. The PRB found that the issues regarding use of the Palisades DTF in 2022 have been thoroughly addressed through the NRC's inspection and enforcement process, as noted above. Therefore, the PRB did not accept those issues into the 10 CFR 2.206 process. The concerns the petitioner raised at the public meeting regarding the recently submitted 2023 expenditure report for Palisades involved new information that the NRC had not yet fully considered. Therefore, in accordance with MD 8.11, section III.C, the PRB accepted that portion of the petitioner's concern into the 10 CFR 2.206 process for further review.

On July 2, 2024, the NRC issued an acknowledgement letter (ML24137A014) informing the petitioner that the concerns raised in the petition, as supplemented, now meet the MD 8.11 criteria for acceptance.

Publicly available documents created or received at the NRC are accessible electronically through ADAMS in the NRC's library at *http://www.nrc.gov/reading-rm/adams.html.* Persons who do not have access to ADAMS, who encounter problems in accessing the documents located in ADAMS, or who want to inspect publicly available documents at the NRC's Public Document Room at 11555 Rockville Pike, Rockville, Maryland 20852, should contact the NRC's Public Document Room reference staff by telephone at 1–800–397–4209 or 301–415–4737, or by email at *pdr.resource@nrc.gov.*

Petitioner's Concern

The petitioner asserts that Holtec misused the DTF to keep Palisades in a status to restart the reactor as opposed to decommissioning the plant. Specifically, as described in the April 10, 2024, public meeting transcript, the petitioner alleged that Holtec withdrew $120 million from the Palisades DTF, as noted in Holtec's 2023 Decommissioning Funding Status Report, and raised concerns about whether the $120 million was properly used for decommissioning expenditures in accordance with the current NRC requirements and guidance.

II. Discussion

Regulatory Requirements

The NRC has a comprehensive, regulation-based framework that provides oversight of licensee DTFs. The regulation at 10 CFR 50.82(a)(8)(i) specifies that licensees may use DTFs if the following three criteria are met:

(A) The withdrawals are for expenses for legitimate decommissioning activities consistent with the definition of decommissioning in § 50.2;

(B) The expenditure would not reduce the value of the decommissioning trust below an amount necessary to place and maintain the reactor in a safe storage condition if unforeseen conditions or expenses arise; and

(C) The withdrawals would not inhibit the ability of the licensee to complete funding of any shortfalls in the decommissioning trust needed to ensure the availability of funds to ultimately release the site and terminate the license.

''Decommission'' is defined in 10 CFR 50.2 as—

. . . to remove a facility or site safely from service and reduce residual radioactivity to a level that permits—

(1) Release of the property for the unrestricted use and termination of the license; or

(2) Release of the property under restricted conditions and termination of the license.

Furthermore, as outlined in Regulatory Guide 1.184, Revision 1, ''Decommissioning of Nuclear Power Reactors,'' issued October 2013 (ML13144A840), which licensees may follow as a method of compliance with decommissioning requirements, the licensee's ability to use the trust funds set aside for decommissioning depends on reaching certain milestones in the decommissioning process. The limitation on the accessibility of the decommissioning funds is designed to ensure that sufficient trust funds are always available to place the facility in a safe, stable condition that ultimately leads to decommissioning and license termination. Further information regarding the Palisades' specific decommissioning plans and cost estimates can be found in the ''Post Shutdown Decommissioning Activities Report [PSDAR] including Site-Specific Decommissioning Cost Estimate [DCE] for Palisades Nuclear Plant,'' dated December 23, 2020 (ML20358A232), as supplemented by letter dated March 1, 2023 (ML23060A039), which the NRC reviewed and approved by letter dated May 2, 2023 (ML23087A036).

On December 13, 2021, the NRC granted Holtec an exemption (ML21286A294 and ML21286A506) from the requirements of 10 CFR 50.82(a)(8)(i)(A) to allow the use of a portion of the funds from the Palisades DTF for spent fuel management and site restoration activities at Palisades, in accordance with Holtec's PSDAR and DCE.

Reported Decommissioning Expenditures for Palisades

As described in the NRC's letter to the petitioner dated July 2, 2024, the agency limited the scope of the 10 CFR 2.206 petition to a review of the new information presented during the April 10, 2024, public meeting and the independent validation that the expenses claimed against the Palisades DTF, not previously reviewed by the NRC, were legitimate decommissioning expenses as opposed to expenses related to the Palisades restart initiative. During the April 10, 2024, public meeting, the petitioner referenced $120 million of decommissioning expenditures, which can be found in enclosure 4 to Holtec's 2023 Decommissioning Funding Status Report. In table 1 of enclosure 4 of that report, Holtec characterized its Palisades decommissioning expenses for 2022 and 2023 as summarized in table 1.

TABLE 1—SUMMARY OF HOLTEC'S DECOMMISSIONING EXPENSES AT PALISADES SINCE LICENSE TRANSFER

Year	License termination	Spent fuel management	Site restoration	Total [1]
Holtec Decommissioning Expenditures—10 CFR 50.82(a)(8)(v)(A) Since License Transfer				
2022	$38M	$6M	$0M	$44M
2023	43M	56M	0M	99M
Total Spent to Date	81M	62M	0M	[2] 143M

[1] Columns may not add up due to rounding.
[2] $120M of incurred costs have not been reimbursed as of December 31, 2023.
Note: M = million.

Holtec's report shows that a total of $143 million of Palisades' decommissioning-related expenses were accounted for, with $44 million in expenses for 2022 and an additional $99 million in expenses for 2023. Notably, footnote 2 to table 1 clarifies that Holtec has only withdrawn $23 million of the $143 million of expenses from the Palisades DTF, and the $120 million of expenses had not been reimbursed as of December 31, 2023. Table 2 of enclosure 4 explains that Holtec intends to withdraw the $120 million of reimbursable funds from the DTF during the years 2040 and 2041 ($60 million is expected to be withdrawn each of these years). This approach ensures that sufficient money remains in the DTF to complete decommissioning and is consistent with the regulations in 10 CFR 50.82 and guidance provided in Regulatory Guide 1.184.

The NRC staff reviewed Holtec's decommissioning expenses during various routine inspections at Palisades and independently found that there have been several instances of misallocation of DTF funds, as described in the next section of this letter. The staff has taken appropriate action on these instances under its normal inspection and enforcement processes. However, as discussed below, the staff has determined that these misallocations are outside the scope of the petition because they were not related to Palisades' restart-specific initiatives.

NRC Inspection Activities

The NRC staff performs routine inspections at Palisades, as required by the Decommissioning Power Reactor Inspection Program. Specifically, the NRC inspection activities at Palisades included review of Holtec's decommissioning expenditures, in accordance with NRC Inspection Procedure 71801, ''Decommissioning Performance and Status Reviews at Permanently Shutdown Reactors,'' dated January 1, 2021 (ML20240A293). Table 2 lists the NRC staff's inspection activities, their respective inspection reports, and their associated findings. The timeframe of the selected inspection reports below covers inspections for which the NRC staff reviewed Palisades' 2023 DTF expenses and withdrawals.

TABLE 2—LIST OF NRC STAFF INSPECTION REPORTS FOR PALISADES COVERING CALENDAR YEAR 2023

Inspection report No.	Document date	Document ADAMS accession No.	Findings related to DTF
05000255/2023002	July 19, 2023	ML23200A142	None.
05000255/2023003	October 4, 2023	ML23276B452	Unresolved Item (URI) 05000255/2023003-01.
05000255/2023004	February 20, 2024	ML24045A147	Severity Level IV noncited violation.
05000255/2024004	February 14, 2025	ML25041A225	Severity Level IV noncited violation URI 05000255/2024004-01.

As previously described in the NRC's letter to the petitioner dated July 2, 2024, Holtec's use of the DTF up to October 2023 had already been reviewed by the NRC's routine inspection and enforcement processes, which independently identified several instances in which Holtec used the Palisades DTF for nondecommissioning activities, totaling just over $57,000. The staff described these issues in detail in Inspection Report Nos. 05000255/2023003, dated October 4, 2023 (ML23276B452), and 05000255/2023004, dated February 20, 2024 (ML24045A147), resulting in the NRC issuing a Severity Level IV noncited violation for Palisades.

As of the April 10, 2024, public meeting, the NRC staff had not yet completed a review of Holtec's 2023 Decommissioning Funding Status Report and inspection of Palisades DTF use for October through December 2023, and therefore the petition was held in abeyance until these processes could be completed. The NRC concluded its annual financial assurance report review for Holtec's 2023 Decommissioning Funding Status Report in a memorandum dated September 18, 2024 (ML24240A169). This review concluded that the licensee continued to satisfy the decommissioning funding assurance requirements of 10 CFR 50.82. In November 2024, the NRC conducted its routine DTF inspection at Palisades, which is documented in Inspection Report No. 05000255/2024004, dated February 14, 2025 (ML25041A225). This inspection concluded that no withdrawals from the DTF were made from October 1 through December 31, 2023, which is the timeframe encompassed by the petitioner's concern that had not already been reviewed when the staff accepted the petition. However, the inspection report does document several withdrawals made in 2024 that were not for legitimate decommissioning activities, which constituted a violation of NRC requirements. This review did not identify any withdrawals from the DTF for restart-specific activities; however,

the inspectors opened an unresolved item to address questions related to use of the DTF for routine site maintenance costs because the inspection identified that the licensee continued to use the DTF for these expenditures in 2024. The NRC will address these issues through its normal inspection and enforcement processes; because they do not concern withdrawals for restart-specific activities, they are beyond the scope of this 10 CFR 2.206 petition.

III. Conclusion

In summary, the NRC has a comprehensive, regulation-based framework that provides for oversight of a licensee's use of the DTF. The NRC staff reviewed Holtec's 2023 Decommissioning Funding Status Report for Palisades, in addition to Holtec's 2023 decommissioning expenditures, and found that the NRC's inspection and enforcement process independently identified instances of DTF misuse for which the agency issued applicable violations as required by regulations. The sole unresolved item from the staff's inspections related to misuse of the DTF during the relevant timeframe does not relate to restart-specific activities. Therefore, based on the NRC's continuous oversight of Holtec's use of the Palisades DTF, no further action is necessary at this time to address the petitioner's concern.

As a result of the NRC staff's evaluation of the petitioner's concerns, the Office of Nuclear Reactor Regulation has denied the petitioners' request to take enforcement action concerning Holtec's use of the Palisades DTF. The PRB concludes that the issues raised regarding Holtec's use of the Palisades DTF in 2023 have already been addressed through the NRC's inspection and enforcement process, that violations related to these inspection findings have already been cited, and that there is no indication that withdrawals from the DTF were for restart-specific activities. Therefore, there is insufficient basis on which to take further enforcement-related action against Holtec, and the petitioner's request is denied.

In accordance with 10 CFR 2.206(c), a copy of this director's decision will be filed with the Secretary of the Commission for Commission review. As provided for by this regulation, the decision will constitute the final action of the Commission 25 days after the date of the decision unless the Commission, on its own motion, institutes a review of the decision within that time.

Dated at Rockville, Maryland, this 14th day of August 2025.

For the Nuclear Regulatory Commission.

/RA/

Jeremy Groom,

Acting Deputy Director, Reactor Safety Programs and Corporate Support Office of Nuclear Reactor Regulation.

Attachment

Petitioner's Comments on Proposed Director's Decision and Nuclear Regulatory Commission Response

By letter dated July 2, 2025 (Agencywide Documents Access and Management System Accession No. ML25183A399), the petitioner provided comments (ML25097A165) to the U.S. Nuclear Regulatory Commission (NRC) on the proposed director's decision regarding Holtec Decommissioning International, LLC's (Holtec's), misuse of decommissioning funds, to the enforcement process under Title 10 of the Code of Federal Regulations (10 CFR) 2.206, ''Requests for action under this subpart,'' regarding Palisades Nuclear Plant.

The petitioner's comments do not alter the NRC staff's conclusions in the proposed director's decision and therefore do not require modification to the final director's decision. This attachment provides the petitioner's comments on the proposed director's decision and the NRC's responses to the comments.

The petitioner's comments are summarized below.

Comment 1: Notably, 18 CFR 35.32(a)(6) warrants that.

(6) Absent the express authorization of the Commission, no part of the assets of the Fund may be used for, or diverted to, any purpose other than to fund the costs of decommissioning the nuclear power plant to which the Fund relates, and to pay administrative costs and other incidental expenses, including taxes, of the Fund.

That is, decommissioning funds must be spent on decommissioning. The proposed decision provides no discussion of how it is that expenditures for spent fuel management, costs indisputably incurred during the period following June 2022 during which Holtec actively sought and obtained federal and state assistance commitments for the restart of Palisades, can be deemed ''costs of decommissioning.''

NRC Response to Comment 1: The *Code of Federal Regulations* (CFR) is a codification of the general and permanent rules published in the **Federal Register** by the Executive departments and agencies of the Federal Government. The CFR is divided into 50 titles that represent broad areas subject to Federal regulation. Each title is divided into chapters, which usually bear the name of the issuing agency. Title 18, ''Conservation of Power and Water Resources,'' is composed of two volumes. The first volume, containing parts 1–399, of which you reference 18 CFR part 35, ''Filing of Rate Schedules and Tariffs,'' includes all current regulations codified under this title by the Federal Energy Regulatory Commission, U.S. Department of Energy.

The regulation in 18 CFR 1.101, ''Definitions,'' defines ''Commission'' as the Federal Energy Regulatory Commission, as referenced within 18 CFR. Therefore, the regulation that you cited (18 CFR 35.32(a)(6)) is outside the NRC's jurisdiction. However, the NRC has a similar regulation at 10 CFR 50.82(a)(8)(i)) which states, in part, the following:

Decommissioning trust funds may be used by licensees if—

(A) The withdrawals are for expenses for legitimate decommissioning activities consistent with the definition of decommissioning in [10 CFR] 50.2.

The regulation in 10 CFR 50.2, ''Definitions,'' defines ''Decommission'' as—

. . . to remove a facility or site safely from service and reduce residual radioactivity to a level that permits—

(1) Release of the property for unrestricted use and termination of the license; or

(2) Release of the property under restricted conditions and termination of the license.

Furthermore, on December 13, 2021, the NRC granted Holtec an exemption (ML21286A294, ML21286A506) from the requirements of 10 CFR 50.82(a)(8)(i)(A) to allow the use of a portion of the funds from the Palisades Decommissioning Trust Fund (DTF) for spent fuel management and site restoration activities at Palisades.

These points were previously detailed in the proposed director's decision section titled ''Regulatory Requirements.''

Comment 2: The Petitioners' original question still remains unanswered: *How could Holtec legitimately spend $143,000,000 from the decommissioning trust fund when Holtec admits that it has never engaged in any decommissioning activity?*

NRC Response to Comment 2: As described in the proposed director's decision section titled ''NRC Inspection Activities,'' the NRC staff reviewed Holtec's use of the DTF and verified the expenses incurred. The staff also independently identified several instances in which Holtec used the Palisades DTF for nondecommissioning activities and took appropriate enforcement action for these findings. Notably, in NRC Inspection Report No. 05000255/2024004 (ML25041A225), the NRC staff issued Unresolved Item (URI) 05000255/2024004–01, which seeks to clarify at what point a decommissioning plant undergoing a restart initiative should transition away from using the DTF for otherwise legitimate expenditures. This URI is still under review and is being dispositioned through the NRC's inspection and enforcement process.

In conclusion, the Petition Review Board has determined that the petitioner's comments did not provide any relevant additional information or support for the petition that was not previously considered. Thus, the comments did not change the conclusion of the proposed director's decision. The final director's decision denies the petitioner's request for enforcement action. The NRC appreciates the petitioner's comments and thanks the petitioner for raising concerns in the interest of protecting public health and safety.

[FR Doc. 2025–16022 Filed 8–20–25; 8:45 am]

BILLING CODE 7590–01–P

POSTAL SERVICE

International Product Change—Priority Mail Express International, Priority Mail International & First-Class Package International Service Agreements

AGENCY: Postal Service.

ACTION: Notice.

SUMMARY: The Postal Service gives notice of filing requests with the Postal Regulatory Commission to add certain Priority Mail Express International, Priority Mail International & First-Class Package International Service contracts to the list of Negotiated Service Agreements in the Competitive Product List in the Mail Classification Schedule.

DATES: Date of notice: August 21, 2025.

FOR FURTHER INFORMATION CONTACT: Christopher C. Meyerson, (202) 268–7820.

SUPPLEMENTARY INFORMATION: The United States Postal Service hereby gives notice that, pursuant to 39 U.S.C. 3642 and 3632(b)(3), it filed with the Postal Regulatory Commission the following requests:

Date filed with Postal Regulatory Commission	Negotiated service agreement product category and No.	MC docket No.	K docket No.
8/11/2025	PMEI, PMI & FCPIS 82	MC2025–1590	K2025–1582.
8/12/2025	PMEI, PMI & FCPIS 83	MC2025–1594	K2025–1586.
8/8/2025	PMEI, PMI & FCPIS 85	MC2025–1600	K2025–1592.
8/12/2025	PMEI, PMI & FCPIS 87	MC2025–1601	K2025–1593.

Documents are available at *www.prc.gov.*

Colleen Hibbert-Kapler,

Attorney, Ethics and Legal Compliance.

[FR Doc. 2025–15933 Filed 8–20–25; 8:45 am]

BILLING CODE 7710–12–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–103729; File No. SR–NASDAQ–2025–013]

Self-Regulatory Organizations; Nasdaq Stock Market LLC; Notice of Designation of a Longer Period for Commission Action on Proceedings To Determine Whether To Approve or Disapprove a Proposed Rule Change To List and Trade Shares of the CoinShares Litecoin ETF Under Nasdaq Rule 5711(d) (Commodity Based Trust Shares)

August 18, 2025.

On February 7, 2025, The Nasdaq Stock Market LLC (''Nasdaq'') 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 list and trade shares of the CoinShares Litecoin ETF under Nasdaq Rule 5711(d) (Commodity Based Trust Shares). The proposed rule change was published for comment in the **Federal Register** on February 25, 2025.[3]

On March 11, 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] On May 22, 2025, the Commission initiated proceedings under Section 19(b)(2)(B) of the Act[6] to determine whether to approve or disapprove the proposed rule change.[7]

Section 19(b)(2) of the Act[8] provides that, after initiating proceedings, the Commission shall issue an order approving or disapproving the proposed rule change not later than 180 days after the date of publication of notice of filing of the proposed rule change. The Commission may extend the period for issuing an order approving or disapproving the proposed rule change, however, by not more than 60 days if the Commission determines that a longer period is appropriate and publishes the reasons for such determination. The proposed rule change was published for comment in the **Federal Register** on February 25, 2025.[9] The 180th day after publication of the proposed rule change is August 24, 2025. The Commission is extending the time period for approving or disapproving the proposed rule change for an additional 60 days.

The Commission finds that it is appropriate to designate a longer period within which to issue an order approving or disapproving the proposed rule change so that it has sufficient time to consider the proposed rule change, and the issues raised therein. Accordingly, the Commission, pursuant to Section 19(b)(2) of the Act,[10] designates October 23, 2025, as the date by which the Commission shall either approve or disapprove the proposed rule change (File No. SR–NASDAQ–2025–013).

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[11]

Vanessa A. Countryman,

Secretary.

[FR Doc. 2025–15939 Filed 8–20–25; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–103736; File No. SR–NYSEARCA–2025–08]

Self-Regulatory Organizations; NYSE Arca, Inc.; Notice of Designation of a Longer Period for Commission Action on Proceedings To Determine Whether To Approve or Disapprove a Proposed Rule Change, as Modified by Amendment No. 1, To List and Trade Shares of the Grayscale XRP Trust Under NYSE Arca Rule 8.201–E (Commodity-Based Trust Shares)

August 18, 2025.

On January 30, 2025, NYSE Arca, Inc. (''NYSE Arca'' 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 list and trade shares of the Grayscale XRP Trust under NYSE Arca

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] *See* Securities Exchange Act Release No. 102444 (Feb. 19, 2025), 90 FR 10656. Comments received on the proposed rule change are available at: *https://www.sec.gov/comments/sr-nasdaq-2025-013/srnasdaq2025013.htm.*

[4] 15 U.S.C. 78s(b)(2).

[5] *See* Securities Exchange Act Release No. 102606, 90 FR 12425 (Mar. 17, 2025). The Commission designated May 26, 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* Securities Exchange Act Release No. 103112, 90 FR 22820 (May 29, 2025).

[8] 15 U.S.C. 78s(b)(2).

[9] *See supra* note 3 and accompanying text.

[10] 15 U.S.C. 78s(b)(2).

[11] 17 CFR 200.30–3(a)(57).

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

Rule 8.201–E (Commodity-Based Trust Shares). On February 10, 2025, the Exchange filed Amendment No. 1 to the proposed rule change, which replaced and superseded the original filing in its entirety. The proposed rule change, as modified by Amendment No. 1, was published for comment in the **Federal Register** on February 20, 2025.[3]

On March 11, 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] On May 20, 2025, the Commission initiated proceedings under Section 19(b)(2)(B) of the Act[6] to determine whether to approve or disapprove the proposed rule change, as modified by Amendment No. 1.[7]

Section 19(b)(2) of the Act[8] provides that, after initiating proceedings, the Commission shall issue an order approving or disapproving the proposed rule change not later than 180 days after the date of publication of notice of filing of the proposed rule change. The Commission may extend the period for issuing an order approving or disapproving the proposed rule change, however, by not more than 60 days if the Commission determines that a longer period is appropriate and publishes the reasons for such determination. The proposed rule change was published for comment in the **Federal Register** on February 20, 2025.[9] The 180th day after publication of the proposed rule change is August 19, 2025. The Commission is extending the time period for approving or disapproving the proposed rule change for an additional 60 days. The Commission finds it appropriate to designate a longer period within which to issue an order approving or disapproving the proposed rule change so that it has sufficient time to consider the proposed rule change and the issues raised therein. Accordingly, the Commission, pursuant to Section 19(b)(2) of the Act,[10] designates October 18, 2025, as the date by which the Commission shall either approve or disapprove the proposed rule change, as modified by Amendment No. 1 (File No. SR–NYSEARCA–2025–08).

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[11]

Vanessa A. Countryman,

Secretary.

[FR Doc. 2025–15946 Filed 8–20–25; 8:45 am]

BILLING CODE 8011–01–P

[3] *See* Securities Exchange Act Release No. 102420 (Feb. 13, 2025), 90 FR 10007. Comments received on the proposed rule change are available at: *https://www.sec.gov/comments/sr-nysearca-2025-08/srnysearca202508.htm.*

[4] 15 U.S.C. 78s(b)(2).

[5] *See* Securities Exchange Act Release No. 102584, 90 FR 12408 (Mar. 17, 2025) (designating May 21, 2025, as the date by which the Commission shall either approve, disapprove, or institute proceedings to determine whether to disapprove the proposed rule change, as modified by Amendment No. 1).

[6] 15 U.S.C. 78s(b)(2)(B).

[7] *See* Securities Exchange Act Release No. 103090, 90 FR 22434 (May 27, 2025).

[8] 15 U.S.C. 78s(b)(2).

[9] *See supra* note 3 and accompanying text.

[10] 15 U.S.C. 78s(b)(2).

[11] 17 CFR 200.30–3(a)(57).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–103739; File No. SR–NYSETEX–2025–24]

Self-Regulatory Organizations; NYSE Texas, Inc.; Notice of Filing of Proposed Rule Change To Amend Rule 7.35

August 18, 2025.

Pursuant to Section 19(b)(1)[1] of the Securities Exchange Act of 1934 (''Act'')[2] and Rule 19b–4 thereunder,[3] notice is hereby given that, on August 5, 2025, the NYSE Texas, Inc. (''NYSE Texas'' or the ''Exchange'') filed with the Securities and Exchange Commission (the ''Commission'') the proposed rule change as described in Items I, II, and III below, which Items have been prepared by the self-regulatory organization. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to amend Rule 7.35 (Auctions) regarding the calculation of the Auction Reference Price. The proposed rule change is available on the Exchange's website at *www.nyse.com* and at the principal office of the Exchange.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the self-regulatory organization included statements concerning the purpose of, and basis for, the proposed rule change and discussed any comments it received on the proposed rule change. The text of those statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant parts of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange proposes to amend Rule 7.35 (Auctions), which describes how the Exchange conducts auctions, to enhance reference price calculations for the Core Open Auction, Trading Halt Auction, and Closing Auction. The proposed change would reflect an augmented calculation of the Auction Reference Price, as defined in Rule 7.35(a)(8)(A), that more accurately reflects price movements in a dynamic market environment, thereby promoting greater transparency in the auction process and the Exchange's marketplace.

The Auction Reference Price is a price used in determining the Indicative Match Price[4] for an auction. For example, as provided in Rule 7.35(a)(8)(A), if there are two or more prices at which the maximum volume of shares is tradable, the Indicative Match Price will be the price closest to the Auction Reference Price, provided that the Indicative Match Price will not be lower (higher) than the price of an order to buy (sell) ranked Priority 2—Display Orders that was eligible to participate in the applicable auction.

Rule 7.35(a)(8)(A) currently defines the Auction Reference Price for the Core Open Auction as the midpoint of the Auction NBBO or, if the Auction NBBO is locked, the locked price. If there is no Auction NBBO, the Auction Reference Price would be the prior trading day's Official Closing Price. The Auction Reference Price for the Closing Auction is defined as the last consolidated round-lot price of that trading day and, if none, the prior trading day's Official Closing Price. The Auction Reference Price for a Trading Halt Auction is defined as the last consolidated round-lot price of that trading day and, if none, the prior trading day's Official Closing Price (except as provided for in Rule 7.35(e)(7)(A)).

The Exchange proposes to amend Rule 7.35(a)(8)(A) regarding the

[1] 15 U.S.C. 78s(b)(1).

[2] 15 U.S.C. 78a.

[3] 17 CFR 240.19b–4.

[4] The Indicative Match Price is the best price at which the maximum volume of shares, including the non-displayed quantity of Reserve Orders, is tradable in the applicable auction, subject to Auction Collars. *See* Rule 7.35(a)(8).

calculation of the Auction Reference Price for the Core Open Auction to reflect a cascading calculation that would consider, in addition to the benchmarks currently reflected in the rule, the price of the last consolidated trade of at least one round lot of that trading day. The Exchange notes that this proposed change would promote consistency with the Auction Reference Price calculation for the Closing Auction and Trading Halt Auction.[5] As proposed, the Auction Reference Price for the Core Open Auction would be defined as:

- The price of the last consolidated trade of at least one round lot of that trading day, or
- If there were no such trades, the midpoint of the Auction NBBO, or
- If the Auction NBBO is locked, the locked price, or
- If there is no Auction NBBO, the prior trading day's Official Closing Price for the initial calculation of the Auction Reference Price, and for each subsequent calculation of the Auction Reference Price, the most recently calculated Auction Reference Price.

With the addition of the price of the last consolidated trade of at least one round lot of that trading day as a benchmark for calculating the Auction Reference Price for the Core Open Auction, the Exchange proposes to distinguish between the initial calculation of the Auction Reference Price for the Core Open Auction and subsequent calculations pursuant to the cascading calculation, in the event that there is no Auction NBBO. For the initial calculation, the Exchange proposes that, if there is no Auction NBBO, the Auction Reference Price would, as currently, be the prior trading day's Official Closing Price. However, for subsequent calculations of the Auction Reference Price when there is no Auction NBBO, the Exchange proposes that the Auction Reference Price would instead be the most recent Auction Reference Price, which the Exchange believes would provide a more recent reference price for the auction. In addition, the Exchange proposes to specify that each Auction Reference Price calculation would be based on an evaluation of the period since the last calculation of the Auction Reference Price. This proposed change is intended to ensure that, in cases where there was no consolidated trade of at least one round lot in the period since the last calculation of the Auction Reference Price, the Auction Reference Price would instead be the midpoint of the Auction NBBO (or other price as provided for in Rule 7.35(a)(8)(A)) to reflect a more recent reference price for the auction.

The Exchange also proposes that Auction Reference Price calculations for the Core Open Auction, Closing Auction, and Trading Halt Auction would exclude trades on Trade Reporting Facilities during the Early Trading Session or Late Trading Session, which may not reflect the actual market in a security, thus providing for a more accurate snapshot of the current market.

The Exchange believes the proposed enhancements to the calculations of the Auction Reference Price for auctions on the Exchange would better reflect more recent trading activity, and such price may reflect a more recent valuation for a security, to the benefit of investors. The proposed rule change would therefore promote the fair and orderly operation of auctions on the Exchange by using reference prices that are consistent with the most recent market activity in a given security, which would also allow more buy and sell interest to participate in such auctions.

Because of the technology changes associated with the proposed changes, the Exchange proposes to announce the implementation date of these changes by Trader Update. Subject to approval of this proposed rule change, the Exchange anticipates that such changes will be implemented before the end of the fourth quarter of 2025.

2. Statutory Basis

The proposed rule change is consistent with Section 6(b) of the Act,[6] in general, and furthers the objectives of Section 6(b)(5),[7] in particular, because it is designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in facilitating transactions in securities, to remove impediments to, and perfect the mechanism of, a free and open market and a national market system and, in general, to protect investors and the public interest.

The Exchange believes the proposed change would promote just and equitable principles of trade, remove impediments to, and perfect the mechanism of, a free and open market and a national market system, and protect investors and the public interest because it is intended to enhance the process for reference price calculations for auctions conducted by the Exchange. Specifically, the proposed change is intended to reflect an augmented calculation of the Auction Reference Price for the Core Open Auction, Closing Auction, and Trading Halt Auction to more accurately reflect price movements in a dynamic market environment, thereby promoting transparency and removing impediments to and perfecting the mechanisms of a free and open market and a national market system. As noted above, the proposed changes to Rule 7.35(a)(8)(A) would reflect that the calculation of the Auction Reference Price for the Core Open Auction would take into account the price of the last consolidated sale of at least one round lot of the trading day and would be based on an evaluation of the period since the last calculation of the Auction Reference Price. In addition, the Auction Reference Price calculations for the Core Open Auction, Closing Auction, and Trading Halt Auction would exclude trades on Trade Reporting Facilities during the Early Trading Session or Late Trading Session. The Exchange believes that the proposed change would result in Auction Reference Prices that better reflect more recent trading activity and which may reflect a more recent valuation for a security. The Exchange believes that the proposed change would thus remove impediments to, and perfect the mechanism of, a free and open market and a national market system because it is intended to provide market participants with reference price information that could encourage additional liquidity in auctions conducted on the Exchange.

The Exchange believes that the proposed non-substantive grammatical changes to the Auction Reference Price definitions for the Early Open Auction, Closing Auction, and IPO Auction would remove impediments to, and perfect the mechanism of, a free and open market and a national market system and protect investors and the public interest because they are not intended to effect any change to these

[5] The Exchange proposes conforming changes to the definition of Auction Reference Price for the Closing Auction and Trading Halt Auction to use the same language as is proposed for the Auction Reference Price for the Core Open Auction. Specifically, the Exchange proposes to use the ''price of the last consolidated trade of at least one round lot of that trading day'' formulation in place of the existing ''last consolidated round-lot price of that trading day.'' These proposed changes are not intended to change how the Exchange determines the Auction Reference Price for the Closing Auction or Trading Halt Auction, but would add clarity and consistency in Rule 7.35(a)(8)(A) with respect to the determination of the Auction Reference Price. The Exchange also proposes non-substantive grammatical changes to the Auction Reference Price definitions for the Early Open Auction, Closing Auction, and IPO Auction to further improve clarity in Rule 7.35(a)(8)(A).

[6] 15 U.S.C. 78f(b).

[7] 15 U.S.C. 78f(b)(5).

definitions and are intended only to promote clarity in Rule 7.35(a)(8)(A).

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. The proposed rule change is not intended to address competitive issues but rather is concerned solely with enhancing the quality of the reference prices the Exchange utilizes for the Core Open Auction, Closing Auction, and Trading Halt Auction. The proposed rule change does not implicate any intermarket competition concerns because it relates to how the Exchange would facilitate auctions in Exchange-listed securities.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were solicited or received with respect to the proposed rule change.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Within 45 days of the date of publication of this notice in the **Federal Register** or within such longer period up to 90 days (i) as the Commission may designate if it finds such longer period to be appropriate and publishes its reasons for so finding or (ii) as to which the self-regulatory organization consents, the Commission will:

(A) by order approve or disapprove the proposed rule change, or

(B) institute proceedings to determine whether the proposed rule change should be disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (*https://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov.* Please include file number SR–NYSETEX–2025–24 on the subject line.

Paper Comments

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549–1090.

All submissions should refer to file number SR–NYSETEX–2025–24. 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 filing will be available for inspection and copying at the principal office of the Exchange. Do not include personal identifiable information in submissions; you should submit only information that you wish to make available publicly. We may redact in part or withhold entirely from publication submitted material that is obscene or subject to copyright protection. All submissions should refer to file number SR–NYSETEX–2025–24 and should be submitted on or before September 11, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[8]

Vanessa A. Countryman,

Secretary.

[FR Doc. 2025–15949 Filed 8–20–25; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–103737; File No. SR–MEMX–2025–25]

Self-Regulatory Organizations; MEMX LLC; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Make Non-Substantive Changes to the Exchange Rulebook

August 18, 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 August 5, 2025, MEMX LLC (''MEMX'' or the ''Exchange'') filed with the Securities and Exchange Commission (the ''Commission'') the proposed rule change as described in Items I and II below, which Items have been prepared by the 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.

[8] 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).

[4] 17 CFR 240.19b–4.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange is filing with the Commission a proposed rule change to make a number of non-substantive changes to the rulebook. The text of the proposed rule change is provided in Exhibit 5 and is available on the Exchange's website at *https://info.memxtrading.com/regulation/rules-and-filings/.*

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The purpose of the proposed rule change is to make a number of non-substantive changes to the rulebook. The Exchange believes these changes are necessary to correct inadvertent oversights to internal and external cross-references and other minor changes of a non-substantive nature in order to provide greater accuracy and clarity to the rulebook.

First, the proposed rule change corrects paragraph numbering under Rule 11.8, Order Types and Modifiers. Currently, Rule 11.8(b)(8) jumps to Rule 11.8(b)(10) and inadvertently omits subparagraph (9). As such, the Exchange is proposing to correct this paragraph numbering error by updating Rules 11.8(b)(10) and 11.8(b)(11) to Rules 11.8(b)(9) and 11.8(b)(10), respectively.

Next, the Exchange is proposing to correct two typos which appear as incorrect acronyms under Rule 11.10, Self Trade Protection (''STP'') Modifiers. Under current Rules 11.10(d)(4) and 11.10(d)(5), the Exchange inadvertently uses the acronym ''ERSTP'', which in both instances should be corrected to ''STP''.

Next, the Exchange proposes to correct an internal cross reference contained in Rule 11.17, Registration of Market Makers. Specifically, the

proposed rule change corrects the internal cross reference within Rule 11.17(c)(1) from Rule 11.21 to Rule 11.20.[5]

Next, the Exchange is proposing to update the citation to Rule 600(b) of Regulation NMS in Exchange Rule 12.6, Prohibition Against Trading Against Customer Orders. In 2024, the Commission amended Regulation NMS under the Act to update the rule that requires disclosures for order executions in national market system (''NMS'') stocks.[6] As part of that initiative, the Commission adopted new definitions in Rule 600(b) of Regulation NMS and renumbered the remaining definitions, including the definition of Intermarket Sweep Order (formerly Rule 600(b)(38)).[7] The Exchange accordingly proposes to update the citation to the definition of Intermarket Sweep Orders in Rule 12.6, Interpretation and Policy .04 to Rule 600(b)(47).

Lastly, the Exchange is proposing to update two citations to the Options Clearing Corporation By-Laws in Rule 23.1, Exercise of Options Contracts. Current Rule 23.1, Interpretation and Policy .01, indicates for purposes of the Rule, the terms ''customer account'' and ''non-customer account'' have the same meaning as defined in the Clearing Corporation By-Laws Article I(C)(28) and Article I(N)(2), respectively. The OCC has since updated their By-Laws and these definitions are currently numbered as IC.(37) and IN.(1), respectively.[8] As such, the Exchange is proposing to re-number these citations accordingly.

2. Statutory Basis

The Exchange believes the proposed rule change is consistent with 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.

In particular, the Exchange believes that the proposed rule change will remove impediments to and perfect the mechanism of a free and open market and a national market system, and in general, will protect investors and the public interest by correcting errors and inaccuracies within the rules. Specifically, by correcting inadvertent numbering and spelling errors, inaccurate cross references, and by updating outdated citations, the proposed rule change is designed to protect investors by making the rulebook more accurate and adding clarity to the rules, thereby mitigating any potential investor confusion. The proposed rule change will have no impact on trading on the Exchange, as all the proposed rule changes are non-substantive in nature.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. The proposed rule change is not intended to address competitive issues but rather is concerned solely with correcting certain errors and adding clarity. The proposed rule change makes no substantive changes to the rules, and thus will have no impact on trading on the Exchange.

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

The Exchange has filed the proposed rule change pursuant to Section 19(b)(3)(A) of the Act[11] and Rule 19b–4(f)(6)[12] thereunder. Because the foregoing proposed rule change does not: (i) significantly affect the protection of investors or the public interest; (ii) impose any significant burden on competition; or (iii) become operative for 30 days from the date on which it was filed, or such shorter time as the Commission may designate, it has become effective pursuant to Section 19(b)(3)(A) of the Act[13] and Rule 19b–4(f)(6)[14] thereunder.

A proposed rule change filed under Rule 19b–4(f)(6)[15] normally does not become operative prior to 30 days after the date of the filing. However, pursuant to Rule 19b–4(f)(6)(iii),[16] the Commission may designate a shorter time if such action is consistent with protection of investors and the public interest. The Exchange has asked the Commission to waive the 30-day operative delay so that the proposed rule change may become operative immediately upon filing. The Commission believes that waiving the 30-day operative delay is consistent with the protection of investors and the public interest because the proposal adds clarity and avoids potential investor confusion by correcting numbering and spelling errors and updating cross references and outdated citations in the Exchange rulebook and does not introduce any novel regulatory issues. Accordingly, the Commission designates the proposed rule change to be operative upon filing.[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

[5] Current Rule 11.17(c)(1) provides that the registration of a Market Maker may be suspended or terminated by the Exchange if the Exchange determines that the Market Maker has substantially or continually failed to engage in dealings in accordance with Rule 11.21 or elsewhere in these Rules. Rule 11.21, Retail Orders, is not the correct cross reference, rather, Rule 11.20, Obligations of Market Makers, should be substituted here.

[6] *See* Securities Exchange Act Release No. 99679, 89 FR 26428 (April 15, 2024) (S7–29–22).

[7] The original numbered definition of Intermarket Sweep Order (Rule 600(b)(30)) in Regulation NMS was amended to Rule 600(b)(38) in 2021. *See* Securities Exchange Act Release No. 90610, 86 FR 18596 (April 9, 2021) (S7–03–20).

[8] The OCC has re-numbered certain definitions under Article 1 of its By-Laws in connection with multiple rule filings. *See, e.g.,* Securities Exchange Act Release No. 97150, 88 FR 17046 (March 21, 2023) (SR–OCC–2023–002) (Proposed Rule Change Concerning the Amendment of the Options Clearing Corporation's Clearing Membership Standards).

[9] 15 U.S.C. 78f(b).

[10] 15 U.S.C. 78f(b)(5).

[11] 15 U.S.C. 78s(b)(3)(A).

[12] 17 CFR 240.19b–4(f)(6).

[13] 15 U.S.C. 78s(b)(3)(A).

[14] 17 CFR 240.19b–4(f)(6). In addition, Rule 19b–4(f)(6)(iii) requires the Exchange to give the Commission written notice of its intent to file the proposed rule change, along with a brief description and text of 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.

[15] 17 CFR 240.19b–4(f)(6).

[16] 17 CFR 240.19b–4(f)(6)(iii).

[17] For purposes only of waiving the 30-day operative delay, the Commission also has considered the proposed rule's impact on efficiency, competition, and capital formation. *See* 15 U.S.C. 78c(f).

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–MEMX–2025–25 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–MEMX–2025–25. 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 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–MEMX–2025–25 and should be submitted on or before September 11, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[18]

Vanessa A. Countryman,

Secretary.

[FR Doc. 2025–15947 Filed 8–20–25; 8:45 am]

BILLING CODE 8011–01–P

[18] 17 CFR 200.30–3(a)(12) and (59).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–103732; File No. SR–CboeBZX–2025–021]

Self-Regulatory Organizations; Cboe BZX Exchange, Inc.; Notice of Designation of a Longer Period for Commission Action on Proceedings To Determine Whether To Approve or Disapprove a Proposed Rule Change, as Modified by Amendment No. 1, To List and Trade Shares of the 21Shares Core XRP Trust Under BZX Rule 14.11(e)(4), Commodity-Based Trust Shares

August 18, 2025.

On February 6, 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 list and trade shares of the 21Shares Core XRP Trust under BZX Rule 14.11(e)(4), Commodity-Based Trust Shares. On February 12, 2025, the Exchange filed Amendment No. 1 to the proposed rule change, which replaced and superseded the original filing in its entirety. The proposed rule change, as modified by Amendment No. 1, was published for comment in the **Federal Register** on February 21, 2025.[3]

On March 11, 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] On May 20, 2025, the Commission initiated proceedings under Section 19(b)(2)(B) of the Act [6] to determine whether to approve or disapprove the proposed rule change.[7]

Section 19(b)(2) of the Act [8] provides that, after initiating proceedings, the Commission shall issue an order approving or disapproving the proposed rule change not later than 180 days after the date of publication of notice of filing of the proposed rule change. The Commission may extend the period for issuing an order approving or disapproving the proposed rule change, however, by not more than 60 days if the Commission determines that a longer period is appropriate and publishes the reasons for such determination. The proposed rule change was published for comment in the **Federal Register** on February 21, 2025.[9] The 180th day after publication of the proposed rule change is August 20, 2025. The Commission is extending the time period for approving or disapproving the proposed rule change for an additional 60 days.

The Commission finds it appropriate to designate a longer period within which to issue an order approving or disapproving the proposed rule change so that it has sufficient time to consider the proposed rule change and the issues raised therein. Accordingly, the Commission, pursuant to Section 19(b)(2) of the Act,[10] designates October 19, 2025, as the date by which the Commission shall either approve or disapprove the proposed rule change, as modified by Amendment No. 1 (File No. SR–CboeBZX–2025–021).

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[11]

Vanessa A. Countryman,

Secretary.

[FR Doc. 2025–15942 Filed 8–20–25; 8:45 am]

BILLING CODE 8011–01–P

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] *See* Securities Exchange Act Release No. 102426 (Feb. 14, 2025), 90 FR 10093. Comments received on the proposed rule change are available at: *https://www.sec.gov/comments/sr-cboebzx-2025-021/srcboebzx2025021.htm.*

[4] 15 U.S.C. 78s(b)(2).

[5] *See* Securities Exchange Act Release No. 102600, 90 FR 12408 (Mar. 17, 2025). (designating May 22, 2025, as the date by which the Commission shall either approve, disapprove, or institute proceedings to determine whether to disapprove the proposed rule change, as modified by Amendment No. 1).

[6] 15 U.S.C. 78s(b)(2)(B).

[7] *See* Securities Exchange Act Release No. 103080, 90 FR 22367 (May 27, 2025).

[8] 15 U.S.C. 78s(b)(2).

[9] *See supra* note 3 and accompanying text.

[10] 15 U.S.C. 78s(b)(2).

[11] 17 CFR 200.30–3(a)(57).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–103728; File No. SR–NYSEARCA–2025–45]

Self-Regulatory Organizations; NYSE Arca, Inc.; Notice of Designation of a Longer Period for Commission Action on a Proposed Rule Change To List and Trade Shares of the Truth Social Bitcoin and Ethereum ETF, B.T. Under NYSE Arca Rule 8.201–E (Commodity-Based Trust Shares)

August 18, 2025.

On June 24, 2025, the NYSE Arca, Inc. (''Exchange'' or ''NYSE Arca'') 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 list and trade shares of the Truth Social Bitcoin and Ethereum ETF, B.T. under NYSE Arca Rule 8.201–E (Commodity-Based Trust Shares). The proposed rule change was published for comment in the **Federal Register** on July 10, 2025.[3]

Section 19(b)(2) of the Act[4] provides that within 45 days of the publication of notice of the filing of a proposed rule change, or within such longer period up to 90 days as the Commission may designate if it finds such longer period to be appropriate and publishes its reasons for so finding or as to which the self-regulatory organization consents, the Commission shall either approve the proposed rule change, disapprove the proposed rule change, or institute proceedings to determine whether the proposed rule change should be disapproved. The 45th day after publication of the notice for this proposed rule change is August 24, 2025. The Commission is extending this 45-day time period.

The Commission finds it appropriate to designate a longer period within which to take action on the proposed rule change so that it has sufficient time to consider the proposed rule change and the issues raised therein. Accordingly, the Commission, pursuant to Section 19(b)(2) of the Act,[5] designates October 8, 2025, as the date by which the Commission shall either approve or disapprove, or institute proceedings to determine whether to disapprove, the proposed rule change (File No. SR–NYSEARCA–2025–45).

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[6]

Vanessa A. Countryman,

Secretary.

[FR Doc. 2025–15938 Filed 8–20–25; 8:45 am]

BILLING CODE 8011–01–P

[2] 17 CFR 240.19b–4.

[3] *See* Securities Exchange Act Release No. 103394 (July 7, 2025), 90 FR 30749. Comments received on the proposed rule change are available at: *https://www.sec.gov/comments/sr-nysearca-2025-45/srnysearca202545.htm.*

[4] 15 U.S.C. 78s(b)(2).

[5] 15 U.S.C. 78s(b)(2).

[6] 17 CFR 200.30–3(a)(31).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–103738; File No. SR–OCC–2025–011]

Self-Regulatory Organizations; The Options Clearing Corporation; Notice of Filing and Immediate Effectiveness of Proposed Rule Change by The Options Clearing Corporation Concerning the Execution of the Amended and Restated Participant Exchange Agreement

August 18, 2025.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Exchange Act'' or ''Act''),[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on August 15, 2025, The Options Clearing Corporation (''OCC'') filed with the Securities and Exchange Commission (''Commission'') the proposed rule change as described in Items I, II, and III below, which Items have been prepared primarily by OCC. OCC filed the proposed rule change pursuant to Section 19(b)(3)(A)[3] of the Act and paragraph (f)(1) or Rule 19b–4[4] thereunder, such that the proposed rule change was immediately effective upon filing with the Commission. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Clearing Agency's Statement of the Terms of Substance of the Proposed Rule Change

This proposed rule change would (i) remove the signature block in its entirety from the Amended and Restated Participant Exchange Agreement (''New RPEA''), filed as the proposed changes in Exhibit 5 and approved by the Commission in File No. SR–OCC–2025–006,[5] so that OCC may update it to reflect all parties to the current Restated Participant Exchange Agreement (''Existing RPEA'') and allow all such parties to execute the New RPEA; and (ii) correct inadvertent typographical errors in Exhibit C of the New RPEA. No substantive changes to the rights and obligations of the parties to the New RPEA are intended.

OCC filed proposed changes to the text of the New RPEA as Exhibit 5 to File No. SR–OCC–2025–011. Material added to the New RPEA by File No. SR–OCC–2025–011 is marked by underlining, and material deleted is marked with strikethrough text.

This proposed rule change does not require any changes to the text of OCC's By-Laws or Rules. All terms with initial capitalization that are not otherwise defined herein have the same meaning as set forth in the New RPEA or OCC's By-Laws and Rules.[6]

II. Clearing Agency's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, OCC 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. OCC has prepared summaries, set forth in sections (A), (B), and (C) below, of the most significant aspects of these statements.

(A) Clearing Agency's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

Background

On July 11, 2025, the Commission approved a proposed rule change by OCC concerning the adoption of the New RPEA between OCC and each of the national securities exchanges that list equity options (''Exchanges'').[7] OCC intends to execute the New RPEA with the Exchanges, thereby replacing the Existing RPEA and making the New RPEA the governing agreement between OCC and the Exchanges.

Proposed Change

First, OCC proposes to remove the signature block in its entirety from the proposed rule text of the New RPEA so that OCC may update it to reflect all parties to the Existing RPEA and allow all such parties to execute the New RPEA. OCC does not consider the signature block to be a rule of the clearing agency within the meaning of the Exchange Act[8] or regulations thereunder. Specifically, the signature block itself is not a material aspect of the operation of the facilities of OCC or a stated policy, practice or interpretation that establishes or changes any standard, limit or guideline with respect to (A) the rights, obligations, or privileges of specified

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] 15 U.S.C. 78s(b)(3)(A).

[4] 17 CFR 240.19b–4(f).

[5] *See* Exchange Act Release No. 103436 (July 11, 2025), 90 FR 32045 (July 16, 2025) (SR–OCC–2025–006).

[6] OCC's By-Laws and Rules can be found on OCC's public website *at https://www.theocc.com/Company-Information/Documents-and-Archives/By-Laws-and-Rules.*

[7] *See* Exchange Act Release No. 103436, *supra* note 5, 90 FR at 32050.

[8] *See* 15 U.S.C. 78c(a)(27).

persons or persons associated with specified persons, or (B) the meaning, administration, or enforcement of an existing rule.[9] The signature block would be a form used to execute the New RPEA. OCC has filed the form signature block for the New RPEA, corrected to include all parties to the Existing RPEA, as Exhibit 3 to File No. SR–OCC–2025–011.

Second, OCC proposes to correct inadvertent typographical errors in Exhibit C of the New RPEA found in File No. SR–OCC–2025–006, which is the declaration of endorsement that would be executed by any Exchange that seeks to become a party to the New RPEA in the future. Specifically, OCC proposes to correct Exhibit C to the New RPEA to reflect such endorsement is to the ''Amended and Restated Participant Exchange Agreement,'' as opposed to the ''Restated Participant Exchange Agreement'' or ''Amended Restated Participant Exchange Agreement.''

2. Statutory Basis

OCC believes the proposed changes are consistent with the requirements of the Exchange Act and the rules and regulations thereunder applicable to a registered clearing agency. In particular, OCC believes the proposed changes are consistent with Section 17A(b)(3)(F) of the Exchange Act, which requires, among other things, that the rules of a clearing agency be designed to foster cooperation and coordination with persons engaged in the clearance and settlement of securities transactions and to remove impediments to and perfect the mechanism of a national system for the prompt and accurate clearance and settlement of securities transactions.[10] OCC's relationship with the Exchanges will largely be governed by the New RPEA once it is executed. The proposed changes will ensure that the content of the New RPEA accurately reflects the intended rule content, ensure that all parties to the Existing RPEA may execute the New RPEA, and ensure that new parties may in the future endorse the New RPEA. Accordingly, OCC believes that the proposed changes foster cooperation and coordination between OCC and the Exchanges and remove impediments to and perfect the mechanisms of the national system for the clearance and settlement of listed options.

(B) Clearing Agency's Statement on Burden on Competition

Section 17A(b)(3)(I) of the Act[11] requires that the rules of a clearing agency not impose any burden on competition not necessary or appropriate in furtherance of the purposes of the Exchange Act. OCC does not believe that the proposal would impose any burden on competition. The proposed changes are administrative in nature and do not materially change the content of the New RPEA, which applies to Equity and Non-Equity Exchanges alike in satisfaction of the requirements in OCC's By-Laws. Accordingly, OCC does not believe that the proposed changes create any additional burdens on competition on any one Exchange over another.

(C) Clearing Agency's Statement on Comments on the Proposed Rule Change Received From Members, Participants or Others

Written comments were not and are not intended to be solicited with respect to the proposed rule change and none have been received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The foregoing rule change has become effective pursuant to Section 19(b)(3)(A) of the Act[12] and paragraph (f)(1) of Rule 19b–4[13] thereunder. 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.

The proposal shall not take effect until all regulatory actions required with respect to the proposal are completed.[14]

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (*http://www.sec.gov/rules-regulations/self-regulatory-organization-rulemaking*); or
- Send an email to *rule-comments@sec.gov.* Please include file number SR–OCC–2025–011 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–OCC–2025–011. 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-regulations/self-regulatory-organization-rulemaking*). Copies of such filing will be available for inspection and copying at the principal office of OCC and on OCC's website at *https://www.theocc.com/Company-Information/Documents-and-Archives/By-Laws-and-Rules.*

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–OCC–2025–011 and should be submitted on or before September 11, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[15]

Vanessa A. Countryman,

Secretary.

[FR Doc. 2025–15948 Filed 8–20–25; 8:45 am]

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[9] *See* 17 CFR 240.19b–4(a)(6).

[10] 15 U.S.C. 78q–1(B)(3)(F).

[11] 15 U.S.C. 78q–1(b)(3)(I).

[12] 15 U.S.C. 78s(b)(3)(A).

[13] 17 CFR 240.19b–4(f).

[14] Notwithstanding its immediate effectiveness, implementation of this rule change will be delayed until this change is deemed certified under CFTC Regulation 40.6.

[15] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–103735; File No. SR–NYSEARCA–2025–09]

Self-Regulatory Organizations; NYSE Arca, Inc.; Notice of Designation of a Longer Period for Commission Action on Proceedings To Determine Whether To Approve or Disapprove a Proposed Rule Change, as Modified by Amendment No. 1, To List and Trade Shares of the Grayscale Dogecoin Trust Under NYSE Arca Rule 8.201–E (Commodity-Based Trust Shares)

August 18, 2025.

On January 31, 2025, NYSE Arca, Inc. (''NYSE Arca'' 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 list and trade shares of the Grayscale Dogecoin Trust under NYSE Arca Rule 8.201–E (Commodity-Based Trust Shares). On February 10, 2025, the Exchange filed Amendment No. 1 to the proposed rule change, which replaced and superseded the original filing in its entirety. The proposed rule change, as modified by Amendment No. 1, was published for comment in the **Federal Register** on February 20, 2025.[3]

On March 11, 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] On May 20, 2025, the Commission initiated proceedings under Section 19(b)(2)(B) of the Act [6] to determine whether to approve or disapprove the proposed rule change, as modified by Amendment No. 1.[7]

Section 19(b)(2) of the Act [8] provides that, after initiating proceedings, the Commission shall issue an order approving or disapproving the proposed rule change not later than 180 days after the date of publication of notice of filing of the proposed rule change. The Commission may extend the period for issuing an order approving or disapproving the proposed rule change, however, by not more than 60 days if the Commission determines that a longer period is appropriate and publishes the reasons for such determination. The proposed rule change was published for comment in the **Federal Register** on February 20, 2025.[9] The 180th day after publication of the proposed rule change is August 19, 2025. The Commission is extending the time period for approving or disapproving the proposed rule change for an additional 60 days.

The Commission finds that it is appropriate to designate a longer period within which to issue an order approving or disapproving the proposed rule change so that it has sufficient time to consider the proposed rule change and the issues raised therein. Accordingly, the Commission, pursuant to Section 19(b)(2) of the Act,[10] designates October 18, 2025, as the date by which the Commission shall either approve or disapprove the proposed rule change, as modified by Amendment No. 1 (File No. SR–NYSEARCA–2025–09).

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[11]

Vanessa A. Countryman,

Secretary.

[FR Doc. 2025–15945 Filed 8–20–25; 8:45 am]

BILLING CODE 8011–01–P

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] *See* Securities Exchange Act Release No. 102416 (Feb. 13, 2025), 90 FR 9985. Comments received on the proposed rule change are available at: *https://www.sec.gov/comments/sr-nysearca-2025-09/srnysearca202509.htm.*

[4] 15 U.S.C. 78s(b)(2).

[5] *See* Securities Exchange Act Release No. 102582, 90 FR 12371 (Mar. 17, 2025)(designating May 21, 2025, as the date by which the Commission shall either approve, disapprove, or institute proceedings to determine whether to disapprove the proposed rule change, as modified by Amendment No. 1).

[6] 15 U.S.C. 78s(b)(2)(B).

[7] *See* Securities Exchange Act Release No. 103079, 90 FR 22413 (May 27, 2025).

[8] 15 U.S.C. 78s(b)(2).

[9] *See supra* note 3 and accompanying text.

[10] 15 U.S.C. 78s(b)(2).

[11] 17 CFR 200.30–3(a)(57).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–103730; File No. SR–NASDAQ–2025–012]

Self-Regulatory Organizations; Nasdaq Stock Market LLC; Notice of Designation of a Longer Period for Commission Action on Proceedings To Determine Whether To Approve or Disapprove a Proposed Rule Change To List and Trade Shares of the CoinShares XRP ETF Under Nasdaq Rule 5711(d) (Commodity Based Trust Shares)

August 18, 2025.

On February 7, 2025, The Nasdaq Stock Market LLC (''Nasdaq'') 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 list and trade shares of the CoinShares XRP ETF under Nasdaq Rule 5711(d) (Commodity Based Trust Shares). The proposed rule change was published for comment in the **Federal Register** on February 25, 2025.[3]

On March 11, 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] On May 22, 2025, the Commission initiated proceedings under Section 19(b)(2)(B) of the Act [6] to determine whether to approve or disapprove the proposed rule change.[7]

Section 19(b)(2) of the Act [8] provides that, after initiating proceedings, the Commission shall issue an order approving or disapproving the proposed rule change not later than 180 days after the date of publication of notice of filing of the proposed rule change. The Commission may extend the period for issuing an order approving or disapproving the proposed rule change, however, by not more than 60 days if the Commission determines that a longer period is appropriate and publishes the reasons for such determination. The proposed rule change was published for comment in the **Federal Register** on February 25, 2025.[9] The 180th day after publication of the proposed rule change is August 24, 2025. The Commission is extending the time period for approving or disapproving the proposed rule change for an additional 60 days.

The Commission finds that it is appropriate to designate a longer period within which to issue an order approving or disapproving the proposed rule change so that it has sufficient time to consider the proposed rule change, and the issues raised therein.

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] *See* Securities Exchange Act Release No. 102443 (Feb. 19, 2025), 90 FR 10667. Comments received on the proposed rule change are available at: *https://www.sec.gov/comments/sr-nasdaq-2025-012/srnasdaq2025012.htm.*

[4] 15 U.S.C. 78s(b)(2).

[5] *See* Securities Exchange Act Release No. 102604, 90 FR 12422 (Mar. 17, 2025). The Commission designated May 26, 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* Securities Exchange Act Release No. 103113, 90 FR 22806 (May 29, 2025).

[8] 15 U.S.C. 78s(b)(2).

[9] *See supra* note 3 and accompanying text.

Accordingly, the Commission, pursuant to Section 19(b)(2) of the Act,[10] designates October 23, 2025, as the date by which the Commission shall either approve or disapprove the proposed rule change (File No. SR–NASDAQ–2025–012).

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[11]

Vanessa A. Countryman,

Secretary.

[FR Doc. 2025–15940 Filed 8–20–25; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–103733; File No. SR–CboeBZX–2025–022]

Self-Regulatory Organizations; Cboe BZX Exchange, Inc.; Notice of Designation of a Longer Period for Commission Action on Proceedings To Determine Whether To Approve or Disapprove a Proposed Rule Change To List and Trade Shares of Canary XRP Trust Under BZX Rule 14.11(e)(4) (Commodity-Based Trust Shares)

August 18, 2025.

On February 6, 2025, Cboe BZX Exchange, Inc. (''BZX'') 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 list and trade shares of the Canary XRP Trust under BZX Rule 14.11(e)(4). The proposed rule change was published for comment in the **Federal Register** on February 25, 2025.[3]

On March 11, 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] On May 22, 2025, the Commission initiated proceedings under Section 19(b)(2)(B) of the Act[6] to determine whether to approve or disapprove the proposed rule change.[7]

Section 19(b)(2) of the Act[8] provides that, after initiating proceedings, the Commission shall issue an order approving or disapproving the proposed rule change not later than 180 days after the date of publication of notice of filing of the proposed rule change. The Commission may extend the period for issuing an order approving or disapproving the proposed rule change, however, by not more than 60 days if the Commission determines that a longer period is appropriate and publishes the reasons for such determination. The proposed rule change was published for comment in the **Federal Register** on February 25, 2025.[9] The 180th day after publication of the proposed rule change is August 24, 2025. The Commission is extending the time period for approving or disapproving the proposed rule change for an additional 60 days.

The Commission finds that it is appropriate to designate a longer period within which to issue an order approving or disapproving the proposed rule change so that it has sufficient time to consider the proposed rule change, and the issues raised therein. Accordingly, the Commission, pursuant to Section 19(b)(2) of the Act,[10] designates October 23, 2025, as the date by which the Commission shall either approve or disapprove the proposed rule change (File No. SR–CboeBZX–2025–022).

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[11]

Vanessa A. Countryman,

Secretary.

[FR Doc. 2025–15943 Filed 8–20–25; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–103731; File No. SR–CboeBZX–2025–020]

Self-Regulatory Organizations; Cboe BZX Exchange, Inc.; Notice of Designation of a Longer Period for Commission Action on Proceedings To Determine Whether To Approve or Disapprove a Proposed Rule Change To List and Trade Shares of the Bitwise XRP ETF Under BZX Rule 14.11(e)(4) (Commodity-Based Trust Shares)

August 18, 2025.

On February 6, 2025, Cboe BZX Exchange, Inc. (''BZX'') 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 list and trade shares of the Bitwise XRP ETF under BZX Rule 14.11(e)(4). The proposed rule change was published for comment in the **Federal Register** on February 24, 2025.[3]

On March 11, 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] On May 22, 2025, the Commission initiated proceedings under Section 19(b)(2)(B) of the Act[6] to determine whether to approve or disapprove the proposed rule change.[7]

Section 19(b)(2) of the Act[8] provides that, after initiating proceedings, the Commission shall issue an order approving or disapproving the proposed rule change not later than 180 days after the date of publication of notice of filing of the proposed rule change. The Commission may extend the period for issuing an order approving or disapproving the proposed rule change,

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[10] 15 U.S.C. 78s(b)(2).

[11] 17 CFR 200.30–3(a)(57).

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] *See* Securities Exchange Act Release No. 102449 (Feb. 19, 2025), 90 FR 10647. Comments received on the proposed rule change are available at: *https://www.sec.gov/comments/sr-cboebzx-2025-022/srcboebzx2025022.htm*.

[4] 15 U.S.C. 78s(b)(2).

[5] *See* Securities Exchange Act Release No. 102596, 90 FR 12409 (Mar. 17, 2025). The Commission designated May 26, 2025, as the date by which the Commission shall approve, disapprove, or institute proceedings to determine whether to disapprove the proposed rule change.

[6] 15 U.S.C. 78s(b)(2)(B).

[7] *See* Securities Exchange Act Release No. 103115, 90 FR 22803 (May 29, 2025).

[8] 15 U.S.C. 78s(b)(2).

[9] *See supra* note 3 and accompanying text.

[10] 15 U.S.C. 78s(b)(2).

[11] 17 CFR 200.30–3(a)(57).

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] *See* Securities Exchange Act Release No. 102438 (Feb. 18, 2025), 90 FR 10525. Comments received on the proposed rule change are available at: *https://www.sec.gov/comments/sr-cboebzx-2025-020/srcboebzx2025020.htm*.

[4] 15 U.S.C. 78s(b)(2).

[5] *See* Securities Exchange Act Release No. 102601, 90 FR 12426 (Mar. 17, 2025). The Commission designated May 25, 2025, as the date by which the Commission shall approve, disapprove, or institute proceedings to determine whether to disapprove the proposed rule change.

[6] 15 U.S.C. 78s(b)(2)(B).

[7] *See* Securities Exchange Act Release No. 103114, 90 FR 22794 (May 29, 2025).

[8] 15 U.S.C. 78s(b)(2).

however, by not more than 60 days if the Commission determines that a longer period is appropriate and publishes the reasons for such determination. The proposed rule change was published for comment in the **Federal Register** on February 24, 2025.[9] The 180th day after publication of the proposed rule change is August 23, 2025. The Commission is extending the time period for approving or disapproving the proposed rule change for an additional 60 days.

The Commission finds that it is appropriate to designate a longer period within which to issue an order approving or disapproving the proposed rule change so that it has sufficient time to consider the proposed rule change, and the issues raised therein. Accordingly, the Commission, pursuant to Section 19(b)(2) of the Act,[10] designates October 22, 2025, as the date by which the Commission shall either approve or disapprove the proposed rule change (File No. SR–CboeBZX–2025–020).

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[11]

Vanessa A. Countryman,

Secretary.

[FR Doc. 2025–15941 Filed 8–20–25; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–103734; File No. SR–CboeBZX–2025–025]

Self-Regulatory Organizations; Cboe BZX Exchange, Inc.; Notice of Designation of a Longer Period for Commission Action on 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 21Shares Core Ethereum ETF To Permit Staking Under BZX Rule 14.11(e)(4) (Commodity-Based Trust Shares)

August 18, 2025.

On February 12, 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 list and trade shares of the 21Shares Core Ethereum ETF under BZX Rule 14.11(e)(4). The proposed rule change was published for comment in the **Federal Register** on February 25, 2025.[3]

On March 11, 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] On May 22, 2025, the Commission initiated proceedings under Section 19(b)(2)(B) of the Act,[6] to determine whether to approve or disapprove the proposed rule change.[7]

Section 19(b)(2) of the Act[8] provides that, after initiating proceedings, the Commission shall issue an order approving or disapproving the proposed rule change not later than 180 days after the date of publication of notice of filing of the proposed rule change. The Commission may extend the period for issuing an order approving or disapproving the proposed rule change, however, by not more than 60 days if the Commission determines that a longer period is appropriate and publishes the reasons for such determination. The proposed rule change was published for comment in the **Federal Register** on February 25, 2025.[9] The 180th day after publication of the proposed rule change is August 24, 2025. The Commission is extending the time period for approving or disapproving the proposed rule change for an additional 60 days.

The Commission finds it appropriate to designate a longer period within which to issue an order approving or disapproving the proposed rule change so that it has sufficient time to consider the proposed rule change and the issues raised therein. Accordingly, the Commission, pursuant to Section 19(b)(2) of the Act,[10] designates October 23, 2025, as the date by which the Commission shall either approve or disapprove the proposed rule change (File No. SR–CboeBZX–2025–025).

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[11]

Vanessa A. Countryman,

Secretary.

[FR Doc. 2025–15944 Filed 8–20–25; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–103727; File No. 600–45]

ICE Clear Credit LLC; Notice of Filing of an Application for Registration as a Clearing Agency Under Section 17A of the Securities Exchange Act of 1934

August 18, 2025.

On August 1, 2025, ICE Clear Credit LLC (''ICC'') filed with the Securities and Exchange Commission (''Commission'') an application on Form CA–1 (''Application'') under Section 17A of the Securities Exchange Act of 1934 (''Exchange Act'').[1] ICC filed the Application to register as a clearing agency for the purpose of clearing transactions involving U.S. Treasury securities.[2] Specifically, the Application states that ICC is seeking to provide central counterparty clearing services to market participants for their secondary cash market transactions in U.S. Treasury securities and transactions in repurchase and reverse repurchase agreements involving U.S. Treasury securities, which ICC refers to as its Treasury Business.[3] The Application provides detailed information regarding how ICC proposes to satisfy the requirements of the Exchange Act with respect to its Treasury Business. The

[9] *See supra* note 3 and accompanying text.

[10] 15 U.S.C. 78s(b)(2).

[11] 17 CFR 200.30–3(a)(57).

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] *See* Securities Exchange Act Release No. 102450 (Feb. 19, 2025), 90 FR 10645. The Commission received no comment letters on the proposed rule change.

[4] 15 U.S.C. 78s(b)(2).

[5] *See* Securities Exchange Act Release No. 102598, 90 FR 12385 (Mar. 17, 2025) (The Commission designated May 26, 2025, as the date by which the Commission shall either approve, disapprove, or institute proceedings to determine whether to disapprove the proposed rule change).

[6] 15 U.S.C. 78s(b)(2)(B).

[7] *See* Securities Exchange Act Release No. 103109, 90 FR 22796 (May 29, 2025).

[8] 15 U.S.C. 78s(b)(2).

[9] *See supra* note 3 and accompanying text.

[10] 15 U.S.C. 78s(b)(2).

[11] 17 CFR 200.30–3(a)(57).

[1] 15 U.S.C. 78q–1.

[2] Pursuant to Section 17A(*l*) of the Exchange Act, in 2011, ICC was deemed registered with the Commission as a clearing agency solely for the purpose of clearing security-based swaps and has been operating an ongoing business related to the clearance of credit-default swaps (''CDS''), which ICC refers to as its CDS Business. *See* 15 U.S.C. 78q–1(*l*)(1) (''A depository institution or derivative clearing organization registered with the Commodity Futures Trading Commission under the Commodity Exchange Act that is required to be registered as a clearing agency under this section is deemed to be registered under this section solely for the purpose of clearing security-based swaps . . . .''). Although the Application pertains to ICC's request to clear transactions involving U.S. Treasury securities, where necessary and appropriate it includes information relevant to ICC's existing CDS Business.

[3] *See* Exhibit J. As described in the Application, the Treasury Business would be distinct from ICC's existing CDS Business, including separate membership requirements, financial risk management and default waterfalls, and rulebooks. *See id.*

proposed Rules of ICC's Treasury Business are described in Exhibit E and included in Annex E–2 to the Application.

The Commission is publishing this notice to solicit comments on the Application. To grant ICC's request to register as a clearing agency for the purpose of clearing transactions involving U.S. Treasury securities, the Commission must find that it satisfies the requirements of the Exchange Act and the rules and regulations thereunder, including the determinations required under Exchange Act Section 17A(b)(3)(A) through (I).[4] Pursuant to Section 17A of the Exchange Act, the Commission is directed, having due regard for the public interest, the protection of investors, the safeguarding of securities and funds, and maintenance of fair competition among brokers and dealers, clearing agencies, and transfer agents, to use its authority to: (i) facilitate the establishment of a national system for the prompt and accurate clearance and settlement of transactions in securities (other than exempt securities); and (ii) facilitate the establishment of linked or coordinated facilities for clearance and settlement of transactions in securities in accordance with the findings and to carry out the objectives set forth in Section 17A.[5] The Commission will consider any comments it receives in making its determination about whether to grant ICC's request to be registered as a clearing agency for the purpose of clearing transactions involving U.S. Treasury securities.

The Application provides a description of ICC's ownership structure and management. The Application states that ICC is wholly owned by its parent company, ICE U.S. Holding Company, L.P.[6] ICC is a limited liability company registered in the state of Delaware.[7] ICC has a Board of Managers, made up of at least five independent managers and four managers designated by representatives of ICC's clearing members.[8] ICC's Board of Managers has several committees, including a Nominating Committee, Audit Committee, and Risk Committee.[9]

The Application describes how ICC will clear transactions involving U.S. Treasury securities.[10] The Application states that ICC will offer clearing of transactions involving U.S. Treasury securities to direct members of ICC, which ICC calls ''Treasury Participants.'' [11] A Treasury Participant is a person who has: (i) been approved by ICC for the submission of transactions involving U.S. Treasury securities; (ii) entered into an agreement with ICC specifically relating to such transactions; and (iii) agreed to abide by ICC's rules and procedures related to such transactions. Under those rules, a person that is not a Treasury Participant may clear at ICC through a Treasury Participant. However, where a Treasury Participant clears a transaction for a non-participant, the Treasury Participant becomes fully and directly liable as principal and not as guarantor or surety for all obligations to ICC in respect of such transaction.

The Application provides information regarding ICC's risk management.[12] In summary, the Application states that ICC will clear transactions involving U.S. Treasury securities using a ''contemporary clearinghouse risk waterfall design'' [13] with client segregation, collateral protection, and a robust default management framework. For example, with respect to counterparty risk management, ICC will impose membership standards on Treasury Participants requiring that Treasury Participants meet certain fitness, financial, and operational standards, and have appropriate regulatory registrations. ICC may suspend, revoke, or terminate a Treasury Participant for failing to meet these requirements and may impose additional capital, margin, or other requirements as needed to protect ICC and other Treasury Participants.

With respect to financial risk management, ICC also will require Treasury Participants to provide initial margin for their own transactions and for transactions of non-participants that they clear. In addition, ICC will require Treasury Participants to make variation payments due to the change in market value of their open positions and the open positions of non-participants that they clear. ICC will offer various net or gross margin position accounts that non-participants can use to meet these requirements. Finally, ICC will use its existing direct settlement model to manage the settlement of payments and mitigate risks associated with potential settlement failures.

The Application also states that ICC will establish and maintain a Treasury Guaranty Fund which the Application states ''will be sized to provide financial resources based on Cover-2 regulatory standards.'' [14] The guaranty fund for clearing transactions involving U.S. Treasury securities will be distinct from ICC's existing guaranty fund for clearing transactions involving CDS. Treasury Participants will be required to contribute to the Treasury Guaranty Fund, and each Treasury Participant's required contribution will be risk-based using stress test analyses under extreme but plausible market conditions. The Application states that ICC will calculate the amount of a Treasury Participant's contribution to the Treasury Guaranty Fund on a net exposure basis taking into account a Treasury Participant's own transactions and transactions of non-participants that the Treasury Participant clears, subject to a $20 million minimum contribution.

ICC also will establish and maintain a default management framework for clearing transactions involving U.S. Treasury securities, including a default resource waterfall, distinct from ICC's existing framework and waterfall for clearing transactions involving CDS. In resolving a default of a Treasury Participant, ICC may apply the margin and other property of the defaulting Treasury Participant within ICC's possession or control, as set forth in the default waterfall.

In addition to counterparty and financial risk management, the Application describes ICC's approach to operational resilience, availability and disaster recovery, and data backup.[15]

The Application provides information regarding ICC's current and proposed fees.[16] The Application states that ICC's current fees for clearing CDS are available on its website, and ICC's fees for clearing transactions involving U.S. Treasury securities will be published on ICC's website closer to the commencement of operations of that service.

ICC's application on Form CA–1, including each exhibit thereto referenced above, is available online at *www.sec.gov/rules/other/shtml.* Interested persons are invited to submit written data, views, and arguments concerning the Application, including whether the Application is consistent with the Exchange Act and the rules and regulations thereunder applicable to

[4] 15 U.S.C. 78q–1(b)(3)(A)–(I).

[5] 15 U.S.C. 78q–1(a)(2)(A).

[6] *See* Exhibit C (narrative description of ownership and diagrams of ownership structure).

[7] *Id.*

[8] *See* Annex E–1 (ICC Amended and Restated Operating Agreement).

[9] *See* Exhibit A; Annex A–3; Annex A–4; Annex A–5.

[10] Exhibit J also describes how ICC clears transactions involving CDS.

[11] *See* Exhibit J.

[12] *See* Exhibit J. Exhibit J also describes how ICC manages risks associated with its CDS Business.

[13] *See* Exhibit J.

[14] *See* Exhibit J.

[15] *See* Exhibit K; Exhibit M.

[16] *See* Exhibit E; Annex E–4; Exhibit Q.

clearing agencies (*e.g.,* Exchange Act Rules 17Ad–22, 17Ad–25, 17Ad–26, and Regulation Systems Compliance and Integrity, among others).[17]

Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (*http://www.sec.gov/rules/other.shtml*); or
- Send an email to *rule-comments@sec.gov.* Please include File Number 600–45 on the subject line.

Paper Comments

- Send paper comments to Vanessa A. Countryman, Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549–1090. All submissions should refer to File Number 600–45.

To help the Commission process and review your comments more efficiently, please use only one method of submission. The Commission will post all comments on the Commission's internet website (*http://www.sec.gov/rules/other.shtml*).

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 600–45 and should be submitted on or before October 6, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[18]

Vanessa A. Countryman,

Secretary.

[FR Doc. 2025–15937 Filed 8–20–25; 8:45 am]

BILLING CODE 8011–01–P

SMALL BUSINESS ADMINISTRATION

[Disaster Declaration #21240 and #21241; KANSAS Disaster Number KS–20027]

Administrative Disaster Declaration of a Rural Area for the State of Kansas

AGENCY: U.S. Small Business Administration.

ACTION: Notice.

SUMMARY: This is a notice of an Administrative disaster declaration of a rural area for the State of Kansas dated August 15, 2025.

Incident: Severe Storms, Straight-line Winds, Tornadoes, and Flooding.

DATES: Issued on August 15, 2025.

Incident Period: May 18, 2025 through May 19, 2025.

Physical Loan Application Deadline Date: October 14, 2025.

Economic Injury (EIDL) Loan Application Deadline Date: May 15, 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 of a rural area, 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: Reno.

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 21240C and for economic injury is 212410.

The States which received an EIDL Declaration are Kansas.

(Catalog of Federal Domestic Assistance Number 59008)

(Authority: 13 CFR 123.3(b).)

James Stallings,

Associate Administrator.

[FR Doc. 2025–15996 Filed 8–20–25; 8:45 am]

BILLING CODE 8026–09–P

SMALL BUSINESS ADMINISTRATION

[Disaster Declaration #21202 and #21203; NEW MEXICO Disaster Number NM–20017]

Presidential Declaration Amendment of a Major Disaster for the State of New Mexico

AGENCY: U.S. Small Business Administration.

ACTION: Amendment 1.

SUMMARY: This is an amendment of the Presidential declaration of a major disaster for the State of New Mexico (FEMA–4886–DR) dated July 22, 2025.

Incident: Severe Storms, Flooding and Landslides.

DATES: Issued on August 16, 2025.

Incident Period: June 23, 2025 and continuing.

Physical Loan Application Deadline Date: September 22, 2025.

Economic Injury (EIDL) Loan Application Deadline Date: April 22, 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 the State of New Mexico, dated July 22, 2025, is hereby amended to include the following areas as adversely affected by the disaster:

Primary Counties (Physical Damage and Economic Injury Loans): Doña Ana.

Contiguous Counties (Economic Injury Loans Only):

New Mexico: Luna.

Texas: El Paso.

All other information in the original declaration remains unchanged.

(Catalog of Federal Domestic Assistance Number 59008)

(Authority: 13 CFR 1234.3(b).)

James Stallings,

Associate Administrator, Office of Disaster Recovery & Resilience.

[FR Doc. 2025–15980 Filed 8–20–25; 8:45 am]

BILLING CODE 8026–09–P

[17] *See* 17 CFR 240.17ad–22 (''Rule 17Ad–22''); 240.17ad–25 (''Rule 17Ad–25''); 240.17ad–26 (''Rule 17Ad–26''); 17 CFR 242.1000 through 242.1007 (''Regulation Systems Compliance and Integrity'').

[18] 17 CFR 200.30–3(a)(16).

SMALL BUSINESS ADMINISTRATION

[Disaster Declaration #21243 and #21244; NEW MEXICO Disaster Number NM–20019]

Presidential Declaration of a Major Disaster for Public Assistance Only for the State of New Mexico

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 New Mexico (FEMA–4886–DR), dated August 16, 2025.

Incident: Severe Storms, Flooding and Landslides.

DATES: Issued on August 16, 2025.

Incident Period: June 23, 2025 and continuing.

Physical Loan Application Deadline Date: October 15, 2025.

Economic Injury (EIDL) Loan Application Deadline Date: May 18, 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 August 16, 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: Doña Ana, Lincoln, Otero and the Mescalero Apache Tribe.

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 212436 and for economic injury is 212440.

(Catalog of Federal Domestic Assistance Number 59008)

(Authority: 13 CFR 1234.3(b).)

James Stallings,

Associate Administrator, Office of Disaster Recovery & Resilience.

[FR Doc. 2025–15997 Filed 8–20–25; 8:45 am]

BILLING CODE 8026–09–P

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

Notice of Final Federal Agency Actions on Proposed Transportation Project in State Florida

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Notice of limitation on claims for judicial review.

SUMMARY: The FHWA, on behalf of the State Department of Transportation (FDOT), is issuing this notice to announce actions taken by FDOT and other Federal agencies that are final agency actions. These actions relate to the proposed interchange on Interstate 95 at Pioneer Trail (County Road 4118) in Volusia County, State of Florida. These actions grant licenses, permits, or approvals for the project.

DATES: By this notice, the FHWA, on behalf of FDOT, is advising the public of final agency actions subject to 23 U.S.C. 139(l)(1). A claim seeking judicial review of the Federal Agency actions on the listed highway project will be barred unless the claim is filed on or before January 20, 2026. If the Federal law that authorizes judicial review of a claim provides a time period of less than 150 days for filing such claim, then that shorter time period still applies.

ADDRESSES: The Department of the Army permit and additional project documents can be obtained by contacting FDOT Office of Environmental Management, 605 Suwannee Street, MS 37, Tallahassee, Florida 32399, during normal business hours are 8 a.m. to 5 p.m. (Eastern Standard Time), Monday through Friday, except State holidays.

FOR FURTHER INFORMATION CONTACT: Katasha Cornwell, Interim Director, Office of Environmental Management, FDOT; telephone (850) 414–5260; email: *Katasha.Cornwell@dot.state.fl.us.*

SUPPLEMENTARY INFORMATION: Effective December 14, 2016, and as subsequently renewed on May 26, 2022, the FHWA assigned, and the FDOT assumed, environmental responsibilities for this project pursuant to 23 U.S.C. 327. Notice is hereby given that FDOT and other Federal agencies have taken final agency actions subject to 23 U.S.C. 139(l)(1) by issuing licenses, permits, or approvals for the proposed improvement highway project. The actions by FDOT and other Federal agencies on the project, and the laws under which such actions were taken are described in the Type 2 Categorical Exclusion and in other project records for the listed project. The permits and other documents for the listed project are available by contacting FDOT at the address provided above.

The project subject to this notice is:

Project Location: The project is located in Volusia County, Florida—and is a new interchange on Interstate 95 at Pioneer Trail (County Road 4118) in the City of Port Orange and the City of New Smyrna Beach.

Project Actions: This notice applies to the Department of the Army permit and all other Federal agency licenses, permits, or approvals for the listed project since February 26, 2021 through the issuance date of this notice including but not limited to USACE permit, SAJ 2017–02279 (SP–VCB) issued on August 6, 2025.

Programmatic Approval and all laws under which such actions were taken, including but not limited to:

1. *General:* National Environmental Policy Act (NEPA) [42 U.S.C. 4321 *et seq.*]; Federal-Aid Highway Act (FAHA) [23 U.S.C. 109 and 23 U.S.C. 128]; 23 CFR part 771.

2. *Air:* Clean Air Act (CAA) [42 U.S.C. 7401–7671(q)], with the exception of project level conformity determinations [42 U.S.C. 7506].

3. *Noise:* Noise Control Act of 1972 [42 U.S.C. 4901–4918]; 23 CFR part 772.

4. *Land:* Section 4(f) of the Department of Transportation Act of 1966 [23 U.S.C. 138 and 49 U.S.C. 303]; 23 CFR part 774; Land and Water Conservation Fund (LWCF) [54 U.S.C. 200302–200310].

5. *Wildlife:* Endangered Species Act (ESA) [16 U.S.C. 1531–1544 and 1536]; Marine Mammal Protection Act [16 U.S.C. 1361–1423h], Anadromous Fish Conservation Act [16 U.S.C. 757(a)–757(f)]; Fish and Wildlife Coordination Act [16 U.S.C. 661–667(d)]; Migratory Bird Treaty Act (MBTA) [16 U.S.C. 703–

712]; Magnuson-Stevenson Fishery Conservation and Management Act of 1976, as amended [16 U.S.C. 1801–1891d], with Essential Fish Habitat requirements [16 U.S.C. 1855(b)(2)].

6. *Historic and Cultural Resources:* Section 106 of the National Historic Preservation Act of 1966, as amended [54 U.S.C. 3006101 *et seq.*]; Archaeological Resources Protection Act of 1979 (ARPA) [16 U.S.C. 470(aa)–470(II)]; Preservation of Historical and Archaeological Data [54 U.S.C.312501–312508]; Native American Grave Protection and Repatriation Act (NAGPRA) [25 U.S.C. 3001–3013; 18 U.S.C. 1170].

7. *Social and Economic:* Civil Rights Act of 1964 [42 U.S.C. 2000 d–2000d–1]; American Indian Religious Freedom Act [42 U.S.C. 1996]; Farmland Protection Policy Act (FPPA) [7 U.S.C. 4201–4209].

8. *Wetlands and Water Resources:* Clean Water Act (Section 319, Section 401, Section 404) [33 U.S.C. 1251–1387]; Coastal Barriers Resources Act (CBRA) [16 U.S.C. 3501–3510]; Coastal Zone Management Act (CZMA) [16 U.S.C. 1451–1466]; Safe Drinking Water Act (SDWA) [42 U.S.C. 300f–300j—26]; Rivers and Harbors Act of 1899 [33 U.S.C. 401–406]; Wild and Scenic Rivers Act [16 U.S.C. 1271–1287]; Emergency Wetlands Resources Act [16 U.S.C. 3921, 3931]; Wetlands Mitigation, [23 U.S.C. 119(g) and 133(b)(3)]; Flood Disaster Protection Act [42 U.S.C. 4001–4130].

9. *Hazardous Materials:* Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) [42 U.S.C. 9601–9675]; Superfund Amendments and Reauthorization Act of 1986 (SARA); Resource Conservation and Recovery Act (RCRA) [42 U.S.C. 6901–6992(k)].

10. *Executive Orders:* E.O. 11990 Protection of Wetlands; E.O. 11988 Floodplain Management; E.O. 11593 Protection and Enhancement of Cultural Resources; E.O. 13007 Indian Sacred Sites; E.O. 13287 Preserve America; E.O. 11514 Protection and Enhancement of Environmental Quality; E.O. 13112 Invasive Species.

(Catalog of Federal Domestic Assistance Program Number 20.205, Highway Planning and Construction. The regulations implementing Executive Order 12372 regarding intergovernmental consultation on Federal programs and activities apply to this program.)

(Authority: 23 U.S.C. 139(l)(1)).

Issued on: August 18, 2025.

James Cons Christian,

Division Administrator, Federal Highway Administration.

[FR Doc. 2025–15934 Filed 8–20–25; 8:45 am]

BILLING CODE 4910–RY–P

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA–2024–0096]

Agency Information Collection Activities; Notice and Request for Comment; Factors That Influence the Effectiveness of Hazard Anticipation and Attention Maintenance Training

AGENCY: National Highway Traffic Safety Administration (NHTSA), Department of Transportation (DOT).

ACTION: Notice and request for comments on a request for approval of a new information collection.

SUMMARY: The National Highway Traffic Safety Administration (NHTSA) invites public comments about our intention to request approval from the Office of Management and Budget (OMB) for a new information collection. Before a Federal agency can collect certain information from the public, it must receive approval from OMB. Under procedures established by the Paperwork Reduction Act of 1995, before seeking OMB approval, Federal agencies must solicit public comment on proposed collections of information, including extensions and reinstatement of previously approved collections. This document describes a collection of information for which NHTSA intends to seek OMB approval on Factors that Influence the Effectiveness of Hazard Anticipation and Attention Maintenance Training.

DATES: Comments must be submitted on or before October 20, 2025.

ADDRESSES: You may submit comments identified by the Docket No. NHTSA–2024–0096 through any of the following methods:

- *Electronic Submissions:* Go to the Federal eRulemaking Portal at *http://www.regulations.gov.* Follow the online instructions for submitting comments.
- *Fax:* (202) 493–2251.
- *Mail or Hand Delivery:* Docket Management, U.S. Department of Transportation, 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.

Instructions: All submissions must include the agency name and docket number for this notice. Note that all comments received will be posted without change to *http://www.regulations.gov,* including any personal information provided. Please see the Privacy Act heading below.

Privacy Act: Anyone is able to 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.). You may review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (65 FR 19477–78), or you may visit *https://www.transportation.gov/privacy.*

Docket: For access to the docket to read background documents or comments received, go to *http://www.regulations.gov* or the street address listed above. Follow the online instructions for accessing the dockets via internet.

FOR FURTHER INFORMATION CONTACT: For additional information or access to background documents, contact Christine Watson, Ph.D., Office of Behavioral Safety Research (NPD–320), *Christine.Watson@dot.gov,* National Highway Traffic Safety Administration, W46–474, U.S. Department of Transportation, 1200 New Jersey Avenue SE, Washington, DC 20590.

SUPPLEMENTARY INFORMATION: Under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), before an agency submits a proposed collection of information to OMB for approval, it must first publish a document in the **Federal Register** providing a 60-day comment period and otherwise consult with members of the public and affected agencies concerning each proposed collection of information. The OMB has promulgated regulations describing what must be included in such a document. Under OMB's regulation (at 5 CFR 1320.8(d)), an agency must ask for public comment on the following: (a) 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; (b) the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used; (c) how to enhance the quality, utility, and clarity of the information to be collected; and (d) how to minimize the burden of the collection of information on those who are to respond, including the use of appropriate automated, electronic, mechanical, or other technological collection techniques or

other forms of information technology, *e.g.,* permitting electronic submission of responses. In compliance with these requirements, NHTSA asks for public comments on the following proposed collection of information for which the agency is seeking approval from OMB.

Title: Factors that Influence the Effectiveness of Hazard Anticipation and Attention Maintenance Training.

OMB Control Number: New.

Form Number(s): NHTSA Forms 2018, 2019, 2020, 2021.

Type of Request: Request for approval of a new information collection.

Type of Review Requested: Regular.

Requested Expiration Date of Approval: 3 years from date of approval.

Summary of the Collection of Information:

The National Highway Traffic Safety Administration (NHTSA) is seeking approval for a one-time voluntary information collection from 168 participants ages 18 and 19 who do not yet have driver's licenses for a research study on novice driver training. Specifically, this collection involves developing and testing a novice driver training program on a smartphone-like platform and determining whether the effectiveness of the training differs for participants of different sexes, socioeconomic status (SES) strata, and trait levels of sensation seeking and aggressiveness.

To be eligible for the study, participants must be 18 or 19 years old, must not have an unrestricted driver's license or an intermediate/provisional license that allows driving independently, and must be interested in obtaining one in the next 12 months. Recruitment efforts will include posting information about the study on social media platforms, providing study information to contacts in local communities (*e.g.,* community college faculty, high school principals, local driving schools), and reaching out to those who participated in past studies at the research center and agreed to be contacted about future opportunities. Enrolled participants will complete either the hazard anticipation and attention maintenance training program or a placebo training program on a smartphone-like platform. Then, participants' driving performance will be assessed on a computerized driving simulator. Finally, participants will complete a questionnaire that includes demographic questions and two validated scales to assess trait levels of sensation seeking and aggressiveness. After data collection, the research team will examine whether driving simulator performance differs between participants who took the hazard anticipation and attention maintenance training program and those that received the placebo training. The research team will also investigate whether the effects of training differ by sex, SES, and propensities for sensation seeking and aggressiveness.

Prior to conducting the study, the research team will obtain review and approval of this data collection from an Institutional Review Board (IRB) that meets all Federal requirements in 45 CFR 46, is registered with the Office for Human Research Protections, and has a Federalwide Assurance. NHTSA will use the results of this study to produce a technical report containing summary descriptive and inferential statistics. The technical report will be shared with State highway safety offices, local governments, policymakers, researchers, educators, advocates, and others who may wish to use the data from this survey to support their work on novice and teen driver safety.

Description of the Need for the Information and Proposed Use of the Information:

Novice teen drivers are more likely to crash in the first several months after they obtain licenses than more experienced drivers. Higher crash rates are observed for novice drivers who first obtain their licenses at ages 18 and 19,[1] novice drivers who live in zip codes with higher poverty rates,[2] male novices,[3] and novices with greater propensities for personality factors like sensation seeking and aggressiveness.[4] One reason novices who first obtain their licenses at age 18 or 19 are at higher risk of crashing may be because most States do not apply Graduated Driver Licensing (GDL) requirements to novice drivers 18 and older. GDL programs typically restrict nighttime driving and the number of teen passengers that can be in the vehicle and often include the requirement to enroll in a driver education program. An increasing proportion of teens are waiting until age 18 or older to get their licenses,[5] when they are exempt from most States' GDL requirements, and part of this delay may be the cost and availability associated with traditional novice driver education programs.[6] However, while most research has failed to find evidence that traditional pre-licensure driver education reduces novice drivers' crash risk,[7] a growing body of studies suggests that training that focuses on teaching specific skills—hazard anticipation and attention maintenance—may increase novice drivers' safety. Prior studies also suggest that trainings focused on these skills may especially benefit male novices,[8] novice drivers from lower SES backgrounds,[2] and young drivers with lower levels of the sensation seeking and aggressiveness personality traits.[9]

Hazard anticipation training teaches novices to be aware of hazards on the road that are visible *and* those that are hidden. Novice driver training programs targeting hazard anticipation have reduced behaviors linked to crashes on driving simulators [10] and during on-road drives [11] and have reduced crashes

[1] Masten, S., Foss, R., & Marshall, S. (2011). Graduated driver licensing and fatal crashes involving 16- to 19-year-old drivers. *Journal of the American Medical Association, 306*(14), 1098–1103. *https://jamanetwork.com/journals/jama/fullarticle/1104325.*

[2] Roberts, S., Zhang, F., Fisher, D., & Vaca, F. (2021). The effect of hazard awareness training on teen drivers of varying socioeconomic status. *Traffic Injury Prevention, 22*(6), 455–459. *https://doi.org/10.1080/15389588.2021.1940984.*

[3] National Center for Statistics and Analysis. (2024, July). *Young drivers: 2022 data* (Traffic Safety Facts. Report No. DOT HS 813 601). National Highway Traffic Safety Administration. *https://crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/813601.*

[4] Bates, L.J., Davey, J., Watson, B., King, M.J., & Armstrong, K. (2014). Factors contributing to crashes among young drivers. *Sultan Qaboos University Medical Journal, 14*(3), e297–e305. *https://pmc.ncbi.nlm.nih.gov/articles/PMC4117653/.*

[5] Twenge, J., & Park, H. (2019). The decline in adult activities among U.S. adolescents, 1976–2016. *Child Development, 90*(2), 638–654. *https://doi.org/10.1111/cdev.12930.*

[6] Tefft, B. & Foss, R. (2019). *Prevalence and timing of driver licensing among young adults (Research Brief).* AAA Foundation for Traffic Safety. *https://aaafoundation.org/wp-content/uploads/2019/10/19-0500_AAAFTS_Teen-Driver-Safety-Week-Brief_r1.pdf.*

[7] Kirley, B.B., Robison, K.L., Goodwin, A.H., Harmon, K.J. O'Brien, N.P., West, A., Harrell, S.S., Thomas, L., & Brookshire, K. (2023, November). *Countermeasures that work: A highway safety countermeasure guide for State Highway Safety Offices, 11th edition, 2023* (Report No. DOT HS 813 490). National Highway Traffic Safety Administration. *https://www.nhtsa.gov/sites/nhtsa.gov/files/2023-12/countermeasures-that-work-11th-2023-tag_0.pdf.*

[8] Thomas, F., Rilea, S., Blomberg, R., Peck, R., & Korbelak, E. (2016). *Evaluation of the safety benefits of the risk awareness and perception training program for novice teen drivers* (Report No. DOT HS 812 235). National Highway Traffic Safety Administration. *https://rosap.ntl.bts.gov/view/dot/1986/dot_1986_DS1.pdf.*

[9] Zhang, T., Hajiseyedjavadi, F., Wang, Y., Samuel, S., Qu, X., & Fisher, D. (2018). Training interventions are only effective on careful drivers, not careless drivers. *Transportation Research Part F (58),* 693–707. *https://doi.org/10.1016/j.trf.2018.07.004.*

[10] Pollatsek, A., Narayanaan, V., Pradhan, A., & Fisher, D. (2006). Using eye movements to evaluate a PC-based risk awareness perception training program on a driving simulator. *Human Factors, 48*(3), 255–259. *https://doi.org/10.1518/001872006778606787.*

[11] Pradhan, A., Pollatsek, A., Knodler, M. & Fisher, D. (2009). Can younger drivers be trained to scan for information that will reduce their risk in roadway traffic scenarios that are hard to identify as hazardous?, *Ergonomics,* 52, 657–673. *https://pmc.ncbi.nlm.nih.gov/articles/PMC2707454/.*

among 18-year-old newly-licensed males by 32% in the year following training.[8] Attention maintenance training teaches novices to reduce the number and duration of long glances away from the forward roadway. Novice driver training programs focused on attention maintenance have reduced behaviors linked to crashes on driving simulators [12] and in the field,[13] and the benefits of training extended up to four months.[14]

The goal of this information collection is to test the effectiveness of a hazard anticipation and attention maintenance training program for novice drivers that takes relatively little time to complete and could support future efforts to deliver the training via smartphones. Another goal of the information collection is to determine whether the effectiveness of the training program differs for groups of novices who may be at higher risk, *i.e.,* different sexes, SES levels, and trait levels of sensation seeking and aggressiveness. NHTSA will use the results of this study to produce a technical report to be shared with State highway safety offices, local governments, policymakers, researchers, educators, advocates, and others who may wish to use the data from this survey to support their work on novice and teen driver safety.

Affected Public: Participants will be English-speaking adults, aged 18–19, without a driver's license.

Estimated Number of Respondents: Overall, 334 annual respondents will complete the screening questionnaire, and 60 of these respondents will undergo the informed consent process. Finally, of these 60, 54 annual respondents will enroll and participate in the study.

Although the study site has not been finalized, our descriptions assume that the study will be conducted in one potential study site area, Boston, Massachusetts. The study plans to recruit participants who are ages 18 and 19, who do not have an unrestricted driver's license or an intermediate/provisional license that allows driving independently, and who are interested in obtaining an unrestricted or intermediate/provisional license in the next 12 months. Participants may have a learner's permit. A screening questionnaire will be administered electronically to an estimated 1,002 potential participants (334 annually) to yield a total sample of 168 participants (56 annually). We estimate that approximately 18% (180 participants) of those who respond to the screening questionnaire will be eligible, interested, and will travel to the research center to undergo the informed consent procedure. Then, an estimated 168 participants (approximately 94% of those who undergo the informed consent process) are expected to consent and enroll in the study. Of the 168 enrolled participants, 84 will be from a low SES stratum (as determined by average poverty rate of zip code of residence at age 17) and 84 will be from a medium/high SES stratum. An equal number of males and females will be recruited within each SES group.

Frequency: This study will be conducted one time during the three-year period for which NHTSA is requesting approval.

Estimated Total Annual Burden Hours:

The research team expects to provide screening questionnaires to an estimated 1,002 potential participants to determine their eligibility for the study. The research team will post the opportunity on social media platforms likely to be seen by eligible participants and provide it to existing contacts (*e.g.,* managers at neighborhood development community centers, teen centers, community college faculty in the area, high school principals, local driving schools) in local communities. The research team will also contact potential participants via email or phone who indicated a prior interest in similar past studies if they agreed to be contacted about future opportunities. Completing the screening questionnaire has an estimated burden of 5 minutes per respondent (an annual burden of 28 hours for 334 annual respondents, averaged over the three-year approval period) (Table 1).

Similar to a NHTSA behavioral study recently reviewed by OMB,[15] we estimate that approximately 18% (180 individuals) of those who respond to the screening questionnaire will be eligible, interested, and will travel to the research center to undergo the informed consent process. Travel time from around the Boston metropolitan area is estimated at 60 minutes round trip, and the informed consent process is estimated to take 10 minutes. Thus, the burden for this second phase of the study, including travel time, is estimated at 70 minutes per participant (an annual burden of 70 hours for 60 annual respondents).

Finally, we estimate that approximately 94% (168 individuals) of those who undergo the informed consent process will consent and enroll in the study. For these participants, participation in the study is estimated at 240 minutes per participant (an annual burden of 224 hours for 56 annual respondents). Study tasks include (see Table 1):

i. An enrollment process (5 minutes);

ii. A pre-study questionnaire assessing participants' propensity to experience motion sickness in the computerized driving simulator (5 minutes);

iii. A pre-training hazard anticipation and attention maintenance test administered on a smartphone-like platform (20 minutes);

iv. A novice driver training program (placebo or treatment), administered on a smartphone-like platform (60 minutes);

v. A post-training hazard anticipation and attention maintenance test administered on a smartphone-like platform (20 minutes);

vi. A break (15 minutes);

vii. A drive on a computerized driving simulator (90 minutes); and

viii. A post-study questionnaire (25 minutes) that consists of: demographic questions; the Arnett Inventory of Sensation Seeking; [15] the Buss-Perry Aggression Questionnaire; [16] and a post-study debriefing.

In total, NHTSA estimates that this information collection will yield a total annual burden of 322 hours (Table 1).

NHTSA estimates the opportunity cost to respondents using an average hourly wage. The May 2023 mean hourly wage for all occupations in the United States was $31.48 per hour.[17] Additionally, given that wages in burden estimates need to be fully-loaded,[18] we added 29% to reflect the

[12] Divekar, G., Pradhan, A.K., Masserang, K.M., Reagan, I., Pollatsek, A., & Fisher, D.L. (2013). A simulator evaluation of the effects of attention maintenance training on glance distributions of younger novice drivers inside and outside the vehicle. *Transportation Research Part F, 20,* 154–169. *https://doi.org/10.1016/j.trf.2013.07.004.*

[13] Pradhan, A.K., Divekar G., Masserang, K., Romoser, M., Zafian, T., Blomberg, R., Thomas, F., Reagan, I., Knodler, M., Pollatsek, A., & Fisher, D. (2011). The effects of focused attention training (FOCAL) on the duration of novice drivers' glances inside the vehicle. *Ergonomics (54),* 917–931. *https://pmc.ncbi.nlm.nih.gov/articles/PMC3437545/.*

[14] Divekar, G., Samuel, S., Pollatsek, A., Thomas, D.F., Korbelak, K., Blomberg, R.D., & Fisher, D.L. (2016). Effects of a PC-based attention maintenance training program on driver behavior can last up to four months. *Transportation Research Record, 2602*(1), 121–128. *https://doi.org/10.3141/2602-15.*

[15] Arnett, J. (n.d.) *Arnett Inventory Sensation Seeking (AISS). https://sjdm.org/dmidi/Arnett_Inventory_of_Sensation_Seeking.html.*

[16] Buss, A. & Perry, M. (n.d.) *Buss Perry Aggression Questionnaire (BPAQ). https://psychology-tools.com/test/buss-perry-aggression-questionnaire.*

[17] U.S. Bureau of Labor Statistics. (2024, April 3). May 2023 National Occupational Employment and Wage Estimates. U.S. Bureau of Labor Statistics. *https://www.bls.gov/oes/current/oes_nat.htm#00-0000.*

[18] *https://pra.digital.gov/burden/estimation/.*

full cost of labor, including benefits, yielding a fully-loaded mean hourly wage of $40.61. Therefore, NHTSA estimates the total annual opportunity cost to be approximately $13,069 (Table 1).

TABLE 1—ANNUAL BURDEN ESTIMATES

Information collection	Annual number of respondents	Burden per response (minutes)	Hourly opportunity cost	Opportunity cost per response	Total annual opportunity cost	Total annual burden (hours)
NHTSA Form 2018 (Total)	334	5	$40.61	$3.38	$1,129	28
Screening Questionnaire						
NHTSA Form 2019 (Total)	60	70	40.61	47.38	2,843	70
Travel Time (Round-Trip)		*60*				
Informed Consent		*10*				
NHTSA Form 2020 (Total)	56	10	40.61	6.77	379	9
Enrollment		*5*				
Pre-Study Questionnaire		*5*				
NHTSA Form 2021 (Total)	56	230	40.61	155.67	8,718	215
Pre-Training Test		*20*				
Training Program		*60*				
Post-Training Test		*20*				
Break		*15*				
Driving Simulator Testing		*90*				
Post-Study Questionnaire		*25*				
Total					13,069	322

Estimated Total Annual Burden Cost: $0.

Participation in this study is voluntary and there are no costs to participants beyond the time spent completing the study. The costs associated with travel to the research center are minimal and expected to be offset by the compensation that will be provided to the research participants.

Public Comments Invited: You are asked to comment on any aspects of this information collection, including (a) whether the proposed collection of information is necessary for the proper performance of the functions of the Department, including whether the information will have practical utility; (b) the accuracy of the Department's estimate of the burden of the proposed information collection; (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 the use of automated collection techniques or other forms of information technology.

(Authority: The Paperwork Reduction Act of 1995; 44 U.S.C. Chapter 35, as amended; 49 CFR 1.49; and DOT Order 1351.29A.)

Jane Terry,

Acting Associate Administrator, Research and Program Development.

[FR Doc. 2025–15931 Filed 8–20–25; 8:45 am]

BILLING CODE 4910–59–P

DEPARTMENT OF TRANSPORTATION

Pipeline and Hazardous Materials Safety Administration

[Docket No. PHMSA–2020–0001]

Pipeline Safety: Request for Special Permit

AGENCY: Pipeline and Hazardous Materials Safety Administration (PHMSA); DOT.

ACTION: Notice.

SUMMARY: PHMSA is publishing this notice to solicit public comments on a request for two special permit segment extensions and one new special permit segment submitted by Florida Gas Transmission Company, LLC (FGT), a subsidiary of Energy Transfer and Kinder Morgan, Inc. FGT is seeking relief from compliance with certain requirements in the Federal pipeline safety regulations. At the conclusion of the 30-day comment period, PHMSA will review the comments received from this notice as part of its evaluation to grant or deny the special permit request.

DATES: Submit any comments regarding this special permit request by September 22, 2025.

ADDRESSES: Comments should reference the docket number for this special permit request and may be submitted in the following ways:

- *E-Gov Website: http://www.regulations.gov.* This site allows the public to enter comments on any **Federal Register** notice issued by any agency.
- *Fax:* 1–202–493–2251.
- *Mail:* Docket Management System: 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:* Docket Management System: U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE, Washington, DC 20590, between 9:00 a.m. and 5:00 p.m., Monday through Friday, except Federal holidays.

Instructions: You should identify the docket number for the special permit request you are commenting on at the beginning of your comments. If you submit your comments by mail, please submit two copies. To receive confirmation that PHMSA has received your comments, please include a self-addressed stamped postcard. Internet users may submit comments at *http://www.regulations.gov.*

Note: There is a privacy statement published on *http://www.regulations.gov.* Comments, including any personal information provided, are posted without changes or edits to *http://www.regulations.gov.*

Confidential Business Information

Confidential Business Information (CBI) is commercial or financial information that is both customarily and treated as private by its owner. Under the Freedom of Information Act (FOIA) (5 United States Code 552), CBI is exempt from public disclosure. If your comments responsive to this notice contain commercial or financial information that is customarily treated

as private, that you treat as private, and that is relevant or responsive to this notice, it is important that you clearly designate the submitted comments as CBI. Pursuant to 49 Code of Federal Regulations (CFR) § 190.343, you may ask PHMSA to give confidential treatment to information you give to the agency by taking the following steps: (1) mark each page of the original document submission containing CBI as ''Confidential''; (2) send PHMSA, along with the original document, a second copy of the original document with the CBI deleted; and (3) explain why the information you are submitting is CBI. Unless you are notified otherwise, PHMSA will treat such marked submissions as confidential under FOIA, and they will not be placed in the public docket of this notice. Submissions containing CBI should be sent to Lee Cooper, DOT, PHMSA–PHP–80, 1200 New Jersey Avenue SE, Washington, DC 20590–0001. Any commentary PHMSA receives that is not specifically designated as CBI will be placed in the public docket for this matter.

FOR FURTHER INFORMATION CONTACT:

General: Mr. Lee Cooper by telephone at 202–913–3171, or by email at *lee.cooper@dot.gov.*

Technical: Mr. Zaid Obeidi by telephone at 202–366–5267, or by email at *zaid.obeidi@dot.gov.*

SUPPLEMENTARY INFORMATION: PHMSA received a special permit request from FGT on March 18, 2025, seeking special permit segment extensions, and seeking the addition of a new special permit segment to be incorporated into special permit PHMSA–2020–0001.[1] The new segment and extensions requested are a part of the active permit's special permit inspection area. Special permit PHMSA–2020–0001 allows FGT to deviate from the Federal pipeline safety regulations in 49 CFR 192.611(a) and (d), and 192.619(a), where a gas transmission pipeline segment has undergone a change from a Class 1 to a Class 3 location.

Special permit PHMSA–2020–0001 was granted on August 22, 2023 and is effective until March 31, 2032 for six special permit segments, which include 10,279 feet (approximately 1.947 miles) of the FGT natural gas transmission pipeline system located in Lake, Orange, and Osceola counties, Florida. FGT is requesting a new special permit segment of 3,587 feet (approximately 0.679 miles) and special permit segment extensions totaling 8,009 feet (approximately 1.517 miles). If granted, the combined length of the requested expansion would total 11,596 feet (approximately 2.196 miles).

The active special permit segment, requested new special permit segment, and requested extensions, are as follows:

SPS No.	Status	County, State	Outside diameter (inches)	Line name	Length (feet)	Year installed	Maximum allowable operating pressure (pounds per square inch gauge)
187440	Active Segment	Osceola, FL	30	MLV 18–1 to C/S 19	285	1995	975
	Extension	Osceola, FL	30	MLV 18–1 to C/S 19	5,196	1995	975
202974	Active Segment	Osceola, FL	30	MLV 18–1 to C/S 19	4,451	1995	975
	Extension	Osceola, FL	30	MLV 18–1 to C/S 19	2,813	1995	975
228268	New Segment	Brevard, FL	26	Mainline Loop STA18–STA19.	3,587	1968	977

Upon receipt of this request, PHMSA reviewed the currently active special permit's Final Environmental Assessment (FEA) and its findings. In consideration of this, PHMSA finds that the existing FEA and Finding of No Significant Impact remain adequate, pursuant to the National Environmental Policy Act of 1969, as amended (42 U.S.C. 4321 *et seq.*), and the expansion of the proposed special permit would not result in significant impacts to the human environment. No further environmental assessment is required for this proposal.

FGT's new special permit segment and extensions request, active special permit with conditions, and FEA are available for review and public comment in Docket No. PHMSA–2020–0001. PHMSA invites interested persons to review and submit comments in the docket on both the special permit segment extension request and the new special permit segment request. Please submit comments on any potential safety, environmental, and other relevant considerations implicated by the special permit request. Comments may include relevant data.

Before issuing a decision on the special permit request, PHMSA will evaluate all comments received on or before the comments closing date. PHMSA will consider each relevant comment it receives in making its decision to grant or deny this special permit request.

Issued in Washington, DC, on August 19, 2025 under authority delegated in 49 CFR 1.97.

Linda Daugherty,

Acting Associate Administrator for Pipeline Safety.

[FR Doc. 2025–16025 Filed 8–20–25; 8:45 am]

BILLING CODE 4910–60–P

[1] Special permits PHMSA–2020–0001 and PHMSA–2023–0020 were combined into special permit PHMSA–2020–0001. Florida Gas Transmission Company, LLC first request was on December 18, 2019. PHMSA original issuance date was on March 31, 2022, and it was revised on June 24,2022. PHMSA received new segment request on March 24, 2023, and issued approval on August 22, 2023. The August 22, 2023, issuance letter indicated that Dockets PHMSA–2023–0020 and PHMSA–2020–0001 were combined into a single docket at Docket PHMSA–2020–0001.

DEPARTMENT OF THE TREASURY

Office of the Comptroller of the Currency

FEDERAL RESERVE SYSTEM

FEDERAL DEPOSIT INSURANCE CORPORATION

Proposed Agency Information Collection Activities; Comment Request

AGENCY: Office of the Comptroller of the Currency (OCC), Treasury; Board of Governors of the Federal Reserve System (Board); and Federal Deposit Insurance Corporation (FDIC).

ACTION: Joint notice and request for comment.

SUMMARY: In accordance with the requirements of the Paperwork Reduction Act of 1995 (PRA), the OCC,

the Board, and the FDIC (the agencies) 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. On May 2, 2025, the Federal Financial Institutions Examination Council (FFIEC), of which the agencies are members, requested public comment for 60 days on a proposal to extend for three years, without revision, the Market Risk Regulatory Report for Institutions Subject to the Market Risk Capital Rule (FFIEC 102), which is currently an approved collection of information for each agency. The comment period for the May notice expired on July 1, 2025. No comments were received, and the agencies will proceed with the extension, without revision, of the FFIEC 102. In addition, the agencies are giving notice that they are sending the collections to OMB for review.

DATES: Comments must be submitted on or before September 22, 2025.

ADDRESSES: Interested parties are invited to submit written comments to any or all of the agencies. All comments will be shared among the agencies.

OCC: You may submit comments, which should refer to ''FFIEC 102,'' by any of the following methods:

- *Email: prainfo@occ.treas.gov.*
- *Mail:* Chief Counsel's Office, Office of the Comptroller of the Currency, Attention: 1557–0325, 400 7th Street SW, Suite 3E–218, Washington, DC 20219.
- *Hand Delivery/Courier:* 400 7th Street SW, Suite 3E–218, Washington, DC 20219.

Instructions: You must include ''OCC'' as the agency name and ''1557–0325'' 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.

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 following method:

- *Viewing Comments Electronically:* Go to *www.reginfo.gov.* Hover over the ''Information Collection Review'' drop down menu and select ''Information Collection Review.'' Underneath the ''Currently under Review'' section heading, from the drop-down menu select ''Department of Treasury'' and then click ''submit.'' This information collection can be located by searching by OMB control number ''1557–0325.'' 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.

Board: You may submit comments, which should refer to ''FFIEC 102,'' by any of the following methods:

- *Agency Website: http://www.federalreserve.gov.* Follow the instructions for submitting comments at: *http://www.federalreserve.gov/generalinfo/foia/ProposedRegs.cfm.*
- *Email: regs.comments@federalreserve.gov.* Include ''FFIEC 102'' in the subject line of the message.
- *Fax:* (202) 395–6974.
- *Mail:* Ann E. Misback, Secretary, Board of Governors of the Federal Reserve System, 20th Street and Constitution Avenue NW, Washington, DC 20551.

All public comments are available on the Board's website at *https://www.federalreserve.gov/apps/foia/proposedregs.aspx* as submitted, unless modified for technical reasons. Accordingly, your comments will not be edited to remove any identifying or contact information.

FDIC: You may submit comments, which should refer to ''FFIEC 102'' by any of the following methods:

- *Agency Website: https://www.fdic.gov/federal-register-publications.* Follow the instructions for submitting comments on the FDIC's website.
- *Email: comments@FDIC.gov.* Include ''FFIEC 102'' in the subject line of the message.
- *Mail:* Kimberly Yeh, Senior Attorney, Attn: Comments, Room MB–3060, Federal Deposit Insurance Corporation, 550 17th Street NW, Washington, DC 20429.
- *Hand Delivery:* Comments may be hand delivered to the guard station at the rear of the 550 17th Street NW building (located on F Street NW) on business days between 7 a.m. and 5 p.m.
- *Public Inspection:* Comments received, including any personal information provided, may be posted without change to *https://www.fdic.gov/federal-register-publications.* Commenters should submit only information that the commenter wishes to make available publicly. The FDIC may review, redact, or refrain from posting all or any portion of any comment that it may deem to be inappropriate for publication, such as irrelevant or obscene material. The FDIC may post only a single representative example of identical or substantially identical comments, and in such cases will generally identify the number of identical or substantially identical comments represented by the posted example. All comments that have been redacted, as well as those that have not been posted, that contain comments on the merits of this document will be retained in the public comment file and will be considered as required under all applicable laws. All comments may be accessible under the Freedom of Information Act.

Additionally, written comments and recommendations for the proposed information collections should be sent within 30 days of publication of this notice to *www.reginfo.gov/public/do/PRAMain.* Find these particular information collections by selecting ''Currently under 30-day Review—Open for Public Comments'' or by using the search function.

FOR FURTHER INFORMATION CONTACT: For further information about the information collections discussed in this notice, please contact any of the agency staff whose names appear below. In addition, copies of the FFIEC 102 reporting forms and instructions can be obtained at the FFIEC's website (*https://www.ffiec.gov/resources/reporting-forms/ffiec102*).

OCC: 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.

Board: Nuha Elmaghrabi, Federal Reserve Board Clearance Officer, (202) 452–3884, Office of the Chief Data Officer, Board of Governors of the Federal Reserve System, 20th and C Streets NW, Washington, DC 20551. Telecommunications Device for the Deaf (TDD) users may call (202) 263–4869.

FDIC: Kimberly Yeh, Senior Attorney, (202) 898–6514, Legal Division, Federal Deposit Insurance Corporation, 550 17th Street NW, Washington, DC 20429.

SUPPLEMENTARY INFORMATION: On May 2, 2025, the agencies requested public comment on a proposal to extend for three years, without revision, the FFIEC

102.[1] The comment period expired on July 1, 2025, and no comments were received.

The agencies will proceed with the extension without revision of the FFIEC 102, as proposed, and are sending the collections to OMB for review.

Report Titles: Market Risk Regulatory Report for Institutions Subject to the Market Risk Capital Rule.

Form Numbers: FFIEC 102.

Frequency of Response: Quarterly.

Affected Public: Business or other for-profit.

OCC

OMB Number: 1557–0325.

Estimated Number of Respondents: 16 national banks and Federal savings associations.

Estimated Average Time per Response: 12 hours per quarter.

Estimated Total Annual Burden: 768 hours.

Board

OMB Number: 7100–0365.

Estimated Number of Respondents: 41 state member banks, bank holding companies, savings and loan holding companies, and intermediate holding companies.

Estimated Average Time per Response: 12 hours per quarter.

Estimated Total Annual Burden: 1,968 hours.

FDIC

OMB Number: 3064–0199.

Estimated Number of Respondents: 1 insured State nonmember bank and State savings association.

Estimated Average Time per Response: 12 hours per quarter.

Estimated Total Annual Burden: 48 hours.

General Description of Reports

The Market Risk Regulatory Report for Institutions Subject to the Market Risk Capital Rule (FFIEC 102) is filed quarterly with the agencies and provides information for market risk institutions, defined for this purpose as those institutions that are subject to the market risk capital rule as incorporated into subpart F of the agencies' regulatory capital rules [2] (market risk institutions). Each market risk institution is required to file the FFIEC 102 for the agencies' use in assessing the reasonableness and accuracy of the institution's calculation of its minimum capital requirements under the market risk capital rule and in evaluating the institution's capital in relation to its risks. Additionally, the market risk information collected in the FFIEC 102: (a) permits the agencies to monitor the market risk profile of, and evaluate the impact and competitive implications of, the market risk capital rule on individual market risk institutions and the industry as a whole; (b) provides the most current statistical data available to identify areas of market risk on which to focus for onsite and offsite examinations; (c) allows the agencies to assess and monitor the levels and components of each reporting institution's risk-based capital requirements for market risk and the adequacy of the institution's capital under the market risk capital rule; and (d) assists market risk institutions in validating their implementation of the market risk framework.

Statutory Basis and Data Availability

The quarterly FFIEC 102 information collection is mandatory for market risk institutions: 12 U.S.C. 161 (national banks), 12 U.S.C. 324 (State member banks), 12 U.S.C. 1844(c) (bank holding companies), 12 U.S.C. 1467a(b) (savings and loan holding companies), 12 U.S.C. 5365 (U.S. intermediate holding companies), 12 U.S.C. 1817 (insured State nonmember commercial and savings banks), and 12 U.S.C. 1464 (savings associations). The FFIEC 102 information collections are not given confidential treatment.

Request for Comment

The agencies invite comment on the following topics related to these collections of information:

(a) Whether the information collections are necessary for the proper performance of the agencies' functions, including whether the information has practical utility;

(b) The accuracy of the agencies' estimates of the burden of the information collections, including the validity of the methodology and assumptions used;

(c) Ways to enhance the quality, utility, and clarity of the information to be collected;

(d) Ways to minimize the burden of information collections 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.

Comments submitted in response to this joint notice will be shared among the agencies. All comments will become a matter of public record.

Eden Gray,

Assistant Director, Office of the Comptroller of the Currency.

Benjamin W. McDonough,

Deputy Secretary and Ombuds of the Board.

Federal Deposit Insurance Corporation.

Dated at Washington, DC, on August 18, 2025.

Jennifer M. Jones,

Deputy Executive Secretary.

[FR Doc. 2025–15953 Filed 8–20–25; 8:45 am]

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

[1] 90 FR 18893 (May 2, 2025).

[2] 12 CFR 3.201 (OCC); 12 CFR 217.201 (Board); and 12 CFR 324.201 (FDIC). The market risk capital rule generally applies to any banking institution with aggregate trading assets and trading liabilities equal to (a) 10 percent or more of quarter-end total assets or (b) $1 billion or more.

DEPARTMENT OF THE TREASURY

Office of the Comptroller of the Currency

Agency Information Collection Activities: Information Collection Renewal; Submission for OMB Review; Lending Limits

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, ''Lending Limits.'' The OCC also is giving notice that it has sent the collection to OMB for review.

DATES: Comments must be received by September 22, 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: 1557–0221, 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–

0221'' 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.

Written comments and recommendations for the proposed information collection should also be sent within 30 days of publication of this notice to *www.reginfo.gov/public/do/PRAMain.* You can find this information collection by selecting ''Currently under 30-day Review—Open for Public Comments'' or by using the search function.

You may review comments and other related materials that pertain to this information collection following the close of the 30-day comment period for this notice 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 ''1557–0221'' or ''Lending Limits.'' 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. The OCC asks the OMB to extend its approval of the collection in this notice.

Title: Lending Limits.

OMB Control No.: 1557–0221.

Type of Review: Regular.

Affected Public: Businesses or other for-profit.

Description: 12 FR 32.7(a) provides that, in addition to the amount that a national bank or savings association may lend to one borrower under 12 CFR 32.3, an eligible bank or savings association may make:

- Residential real estate loans or extensions of credit to one borrower in the lesser of the following two amounts: 10 percent of its capital and surplus; or the percent of its capital and surplus, in excess of 15 percent, that a state bank or savings association is permitted to lend under the state lending limit that is available for residential real estate loans or unsecured loans in the state where the main office of the national bank or savings association is located. Any such loan or extension of credit must be secured by a perfected first-lien security interest in 1–4 family real estate in an amount that does not exceed 80 percent of the appraised value of the collateral at the time the loan or extension of credit is made;
- Loans to small businesses to one borrower in the lesser of the following two amounts: 10 percent of its capital and surplus; or the percent of its capital and surplus, in excess of 15 percent, that a state bank is permitted to lend under the state lending limit that is available for loans to small businesses or unsecured loans in the state where the main office of the national bank or home office of the savings association is located; and
- Loans or extensions of credit to small farms to one borrower in the lesser of the following two amounts: 10 percent of its capital and surplus; or the percent of its capital and surplus, in excess of 15 percent, that a state bank or savings association is permitted to lend under the state lending limit that is available for loans or extensions of credit to small farms or unsecured loans in the state where the main office of the national bank or savings association is located.

An eligible national bank or savings association must submit an application to, and receive approval from, its supervisory office before using the supplemental lending limits in 12 CFR 32.7(a)(1)–(3). The supervisory office may approve a completed application if it finds that approval is consistent with safety and soundness. Section 32.7(b) provides that, in order for an application to be deemed complete, the application must include:

- Certification that the bank or savings association is an ''eligible bank'' or ''eligible savings association;''
- Citations to relevant state laws or regulations;
- A copy of a written resolution by a majority of the bank's or savings association's board of directors approving the use of the limits in § 32.7(a) and confirming the terms and conditions for use of this lending authority; and
- A description of how the board will exercise its continuing responsibility to oversee the use of this lending authority.

Twelve CFR 32.9(b)(1) outlines three alternative methods (the Internal Model Method, the Conversion Factor Matrix Method, and the Current Exposure Method) for national banks and savings associations to use in calculating the credit exposure of non-credit derivative transactions. Twelve CFR 32.9(c) outlines two alternative methods for national banks and savings associations to use in calculating credit exposure arising from their securities financing transactions.

Under 12 CFR 32.9(b)(1)(i)(C), the use of a model (other than the model approved for purposes of 12 CFR 3.132(d) or 324.132(d)) must be approved in writing by the OCC specifically for part 32 purposes. If a national bank or savings association proposes to use an internal model that has been approved by the OCC for purposes of 12 CFR 3.132(d) or 324.132(d), the institution must provide written notification to the OCC prior to use of the model for lending limits purposes. OCC approval also is required for any substantive revisions to an approved model before that model is used for lending limit purposes.

Estimated Frequency of Response: On occasion.

Estimated Number of Respondents: 295.

Estimated Total Annual Burden: 1,958 hours.

Comments: On June 10, 2025, the OCC published a 60-day notice for this information collection, 90 FR 24488. No comments were received.

Comments continue to be 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.

Sarah E. Turney,

Assistant Director, Office of the Comptroller of the Currency.

[FR Doc. 2025–15954 Filed 8–20–25; 8:45 am]

BILLING CODE 4810–33–P

DEPARTMENT OF THE TREASURY

Office of the Comptroller of the Currency

FEDERAL RESERVE SYSTEM

FEDERAL DEPOSIT INSURANCE CORPORATION

Proposed Agency Information Collection Activities: Comment Request

AGENCY: Office of the Comptroller of the Currency (OCC), Treasury; Board of Governors of the Federal Reserve System (Board); and Federal Deposit Insurance Corporation (FDIC).

ACTION: Joint notice and request for comment.

SUMMARY: In accordance with the requirements of the Paperwork Reduction Act of 1995 (PRA), the OCC, the Board, and the FDIC (the agencies) 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. On May 9, 2025, the Federal Financial Institutions Examination Council (FFIEC), of which the agencies are members, requested public comment for 60 days on a proposal to extend for three years, without revision, the Country Exposure Report (FFIEC 009) and the Country Exposure Information Report (FFIEC 009a), which are currently approved collections of information. The comment period for the May notice expired on July 8, 2025. As described in the **SUPPLEMENTARY INFORMATION** section of this document, the agencies will proceed with the extension, without revision, of the FFIEC 009 and FFIEC 009a. In addition, the agencies are giving notice that they are sending the collections to OMB for review.

DATES: Comments must be submitted on or before September 22, 2025.

ADDRESSES: Interested parties are invited to submit written comments to any or all of the agencies. All comments will be shared among the agencies.

OCC: You may submit comments, which should refer to ''FFIEC 009 and FFIEC 009a,'' by any of the following methods:

- *Email: prainfo@occ.treas.gov.*
- *Mail:* Chief Counsel's Office, Office of the Comptroller of the Currency, Attention: 1557–0100, 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 ''1557–0100'' 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.

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 following method:

- *Viewing Comments Electronically:* Go to *www.reginfo.gov.* Hover over the ''Information Collection Review'' drop down menu and select ''Information Collection Review.'' Underneath the ''Currently under Review'' section heading, from the drop-down menu select ''Department of Treasury'' and then click ''submit.'' This information collection can be located by searching by OMB control number ''1557–0100.'' 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.

Board: You may submit comments, which should refer to ''FFIEC 009 and FFIEC 009a'' by any of the following methods:

- *Agency Website: http://www.federalreserve.gov.* Follow the instructions for submitting comments at: *http://www.federalreserve.gov/generalinfo/foia/ProposedRegs.cfm.*
- *Email: regs.comments@federalreserve.gov.* Include ''FFIEC 009 and FFIEC 009a'' in the subject line of the message.
- *Fax:* (202) 395–6974.
- *Mail:* Ann E. Misback, Secretary, Board of Governors of the Federal Reserve System, 20th Street and Constitution Avenue NW, Washington, DC 20551.

All public comments are available on the Board's website at *https://www.federalreserve.gov/apps/foia/proposedregs.aspx* as submitted, unless modified for technical reasons. Accordingly, your comments will not be edited to remove any identifying or contact information.

FDIC: You may submit comments, which should refer to ''FFIEC 009 and FFIEC 009a,'' by any of the following methods:

- *Agency Website: https://www.fdic.gov/federal-register-publications.* Follow the instructions for submitting comments on the FDIC's website.
- *Email: comments@FDIC.gov.* Include ''FFIEC 009 and FFIEC 009a Extension'' in the subject line of the message.
- *Mail:* Michelle Mire, Senior Attorney, Attn: Comments, Room MB–3072, Federal Deposit Insurance Corporation, 550 17th Street NW, Washington, DC 20429.
- *Hand Delivery:* Comments may be hand delivered to the guard station at the rear of the 550 17th Street NW building (located on F Street NW) on business days between 7 a.m. and 5 p.m..
- *Public Inspection:* Comments received, including any personal information provided, may be posted without change to *https://www.fdic.gov/federal-register-publications.* Commenters should submit only information that the commenter wishes to make available publicly. The FDIC may review, redact, or refrain from posting all or any portion of any comment that it may deem to be inappropriate for publication, such as irrelevant or obscene material. The FDIC may post only a single representative example of identical or substantially identical comments, and in such cases will generally identify the number of identical or substantially identical

comments represented by the posted example. All comments that have been redacted, as well as those that have not been posted, that contain comments on the merits of this document will be retained in the public comment file and will be considered as required under all applicable laws. All comments may be accessible under the Freedom of Information Act.

Additionally, written comments and recommendations for the proposed information collections should be sent within 30 days of publication of this notice to *www.reginfo.gov/public/do/PRAMain.* Find these particular information collections by selecting ''Currently under 30-day Review—Open for Public Comments'' or by using the search function.

FOR FURTHER INFORMATION CONTACT: For further information about the proposed FFIEC reports discussed in this notice, please contact any of the agency staff whose names appear below. In addition, a copy of the proposed FFIEC 009 and FFIEC 009a report forms can be obtained at the FFIEC's website (*https://www.ffiec.gov/resources/reporting-forms/ffiec009*).

OCC: 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.

Board: Nuha Elmaghrabi, Federal Reserve Board Clearance Officer, (202) 452–3884, Office of the Chief Data Officer, Board of Governors of the Federal Reserve System, 20th and C Streets NW, Washington, DC 20551. Telecommunications Device for the Deaf (TDD) users may call (202) 263–4869.

FDIC: Michelle Mire, Senior Attorney, (202) 898–7377, Legal Division, Federal Deposit Insurance Corporation, 550 17th Street NW, Washington, DC 20429.

SUPPLEMENTARY INFORMATION: On May 9, 2025, the agencies requested public comment on a proposal to extend for three years, without revision, the FFIEC 009 and the FFIEC 009a.[1] The comment period expired on July 8, 2025. One comment letter was received from a trade association regarding the reporting of securities financing transactions (SFTs) compared to the reporting for other collateralized claims on the FFIEC 009. The comment letter also included suggestions on how the agencies could reduce burden for the FFIEC 009 respondents and enhance reporting comparability. This comment letter is under review by the agencies. At this time, the agencies will proceed with the extension without revision of the FFIEC 009 and FFIEC 009a, as proposed, and are sending the collections to OMB for review.

Report Titles: Country Exposure Report and Country Exposure Information Report.

Form Numbers: FFIEC 009 and FFIEC 009a.

Frequency of Response: Quarterly.

Affected Public: Business or other for-profit.

OCC

OMB Number: 1557–0100.

Estimated Number of Respondents: 10 national banks (FFIEC 009), 3 (FFIEC 009a).

Estimated Average Time per Response: 131 hours (FFIEC 009), 6 hours (FFIEC 009a).

Estimated Total Annual Burden: 5,240 hours (FFIEC 009), 72 hours (FFIEC 009a).

Board

OMB Number: 7100–0035.

Estimated Number of Respondents: 48 bank holding companies, edge and/or agreement corporations, financial holding companies, intermediate holding companies, and state member banks (FFIEC 009), 36 (FFIEC 009a).

Estimated Average Time per Response: 135 hours (FFIEC 009), 6.5 hours (FFIEC 009a).

Estimated Total Annual Burden: 25,920 hours (FFIEC 009), 936 hours (FFIEC 009a).

FDIC

OMB Number: 3064–0017.

Estimated Number of Respondents: 11 nonmember banks (FFIEC 009), 8 (FFIEC 009a).

Estimated Average Time per Response: 131 hours (FFIEC 009), 6 hours (FFIEC 009a).

Estimated Total Annual Burden: 5,764 hours (FFIEC 009), 192 hours (FFIEC 009a).

General Description of Reports

The Country Exposure Report (FFIEC 009) is filed quarterly with the agencies and provides information on international claims of U.S. banks, savings associations, Edge and/or Agreement corporations, bank holding companies, savings and loan holding companies, and intermediate holding companies (U.S. banking organizations) that is used for supervisory and analytical purposes. The information is used to monitor the foreign country exposures of reporting institutions to determine the degree of risk in their portfolios and assess the potential risk of loss. The Country Exposure Information Report (FFIEC 009a) is a supplement to the FFIEC 009 and provides publicly available information on material foreign country exposures of U.S. banking organizations that file the FFIEC 009 report. On the FFIEC 009a, reporting institutions provide a list of countries in which they have lending exposures above 0.75 percent of their total assets or 15 percent of their total capital, whichever is less.

Legal Basis and Need for Collection

These information collections are mandatory under the following statutes: 12 U.S.C. 161 and 1817 (national banks), 12 U.S.C. 1464 (Federal savings associations), 12 U.S.C. 248(a)(1) and (2), 1844(c), and 3906 (State member banks and bank holding companies); 12 U.S.C. 1467a(b)(2)(A) (savings and loan holding companies); 12 U.S.C. 5365(a) (intermediate holding companies); and 12 U.S.C. 1817 and 1820 (insured State nonmember commercial and savings banks and insured State savings associations). The FFIEC 009 information collection is given confidential treatment (5 U.S.C. 552(b)(4) and (b)(8)). The FFIEC 009a information collection is not given confidential treatment.

Request for Comment

Public comment is requested on all aspects of this joint notice. Comment is specifically invited on:

(a) Whether the proposed revisions to the collections of information that are the subject of this notice are necessary for the proper performance of the agencies' functions, including whether the information has practical utility;

(b) The accuracy of the agencies' estimates of the burden of the information collections as they are proposed to be revised, including the validity of the methodology and assumptions used;

(c) Ways to enhance the quality, utility, and clarity of the information to be collected;

(d) Ways to minimize the burden of information collections 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.

[1] 90 FR 19789 (May 9, 2025).

Comments submitted in response to this joint notice will be shared among the agencies.

Eden Gray,

Assistant Director, Office of the Comptroller of the Currency.

Benjamin W. McDonough,

Deputy Secretary and Ombuds of the Board.

Federal Deposit Insurance Corporation.

Dated at Washington, DC, on August 18, 2025.

Jennifer M. Jones,

Deputy Executive Secretary.

[FR Doc. 2025–15952 Filed 8–20–25; 8:45 am]

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

DEPARTMENT OF THE TREASURY

Internal Revenue Service

Agency Information Collection Activities; Comment Request on Form 4506, 4506T–EZ and 4506T–EZ (SP)

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Notice of information collection; request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, the IRS is inviting comments on the information collection request outlined in this notice.

DATES: Written comments should be received on or before October 20, 2025 to be assured of consideration.

ADDRESSES: Direct all written comments to Andres Garcia, Internal Revenue Service, Room 6526, 1111 Constitution Avenue NW, Washington, DC 20224, or by email to *pra.comments@irs.gov.* Include OMB Control No. 1545–2154 in the subject line of the message.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of this collection should be directed to Marcus McCrary at 470–769–2001.

SUPPLEMENTARY INFORMATION: The IRS, in accordance with the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3506(c)(2)(A)), provides the general public and Federal agencies with an opportunity to comment on proposed, revised, and continuing collections of information. This helps the IRS assess the impact and minimize the burden of its information collection requirements. Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval. All comments will become a matter of public record. Comments are invited on: (a) Whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology; and (e) estimates of capital or start-up costs and costs of operation, maintenance, and purchase of services to provide information.

Title: Request for Transcript of Tax Return and Disclosure of returns and return information.

OMB Control Number: 1545–2154.

Form Number: 4506–T, 4506–T–EZ and 4506–T–EZ (SP).

Abstract: Form 4506–T is used by taxpayers to request copies of their tax return information. The information provided will be used to search the taxpayers account and provide the requested information and to ensure that the requestor is the taxpayer, or someone authorized by the taxpayer to obtain the documents requested. Individuals can use Form 4506T–EZ to request a tax return transcript that includes most lines of the original tax return. The tax return transcript will not show payments, penalty assessments, or adjustments made to the originally filed return. Form 4506T–EZ (SP) is the Spanish translated version of the Form 4506T–EZ.

Current Actions: There is no change to the previously approved information collection.

Type of Review: Extension of a currently approved collection.

Affected Public: Individuals or Households, Farms, and Businesses and other for-profit organizations.

Estimated Number of Responses: 2,812,960.

Estimated Time per Response: 47 minutes.

Estimated Total Annual Burden Hours: 2,203,485.

Dated: August 19, 2025.

Marcus W. McCrary,

Tax Analyst.

[FR Doc. 2025–16009 Filed 8–20–25; 8:45 am]

BILLING CODE 4830–01–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

Agency Information Collection Activities; Comment Request on Form 8955–SSA

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Notice of information collection; request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, the IRS is inviting comments on the information collection request outlined in this notice.

DATES: Written comments should be received on or before October 20, 2025 to be assured of consideration.

ADDRESSES: Direct all written comments to Andres Garcia, Internal Revenue Service, Room 6526, 1111 Constitution Avenue NW, Washington, DC 20224, or by email to *pra.comments@irs.gov.* Include OMB Control No. 1545–2187 in the subject line of the message.

FOR FURTHER INFORMATION CONTACT: View the latest drafts of the tax forms related to the information collection listed in this notice at *https://www.irs.gov/draft-tax-forms.* Requests for additional information or copies of this collection should be directed to Marcus McCrary at 470–769–2001.

SUPPLEMENTARY INFORMATION: The IRS, in accordance with the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3506(c)(2)(A)), provides the general public and Federal agencies with an opportunity to comment on proposed, revised, and continuing collections of information. This helps the IRS assess the impact and minimize the burden of its information collection requirements. Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval. All comments will become a matter of public record. Comments are invited on: (a) Whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology; and (e) estimates of capital or start-up costs and costs of operation, maintenance, and purchase of services to provide information.

Title: Request for Annual Registration Statement Identifying Separated Participants with Deferred Vested Benefits.

OMB Control Number: 1545–2187.

Form Number: 8955–SSA.

Abstract: Form 8955–SSA, the designated successor to Schedule SSA (Form 5500), is used to satisfy the reporting requirements of Internal Revenue Code section 6057(a). Plan administrators of employee benefit plans subject to the vesting standards of ERISA section 203 use the form to report information about separated participants with deferred vested benefits under the plan. The information is generally given to the Social Security Administration (SSA), which provides the reported information to separated participants when they file for social security benefits.

Current Actions: There is no change to previously approved information collection.

Type of Review: Extension of a currently approved collection.

Affected Public: Business and other for-profit organizations.

Estimated Number of Responses: 200,000.

Estimated Time per Response: 50 minutes.

Estimated Total Annual Burden Hours: 166,000 hours.

Dated: August 19, 2025.

Marcus W. McCrary,

Tax Analyst.

[FR Doc. 2025–16010 Filed 8–20–25; 8:45 am]

BILLING CODE 4830–01–P

DEPARTMENT OF THE TREASURY

Agency Information Collection Activities; Submission for OMB Review; Comment Request; Multiple FinCEN Information Collection Requests; Correction

AGENCY: Departmental Offices, U.S. Department of the Treasury.

ACTION: Notice of information collection; correction.

SUMMARY: The Department of the Treasury published a document in the **Federal Register** of July 30, 2025, concerning request for comments on information collection requests being submitted to the Office of Management and Budget (OMB) for review and clearance in accordance with the Paperwork Reduction Act of 1995. The document contained errors in the burden estimates for three of the Financial Crimes Enforcement Network information collection requests.

FOR FURTHER INFORMATION CONTACT: Copies of the submissions may be obtained from Spencer W. Clark by emailing *PRA@treasury.gov,* calling (202) 927–5331, or viewing the entire information collection request at *www.reginfo.gov.*

SUPPLEMENTARY INFORMATION:

Correction

In the **Federal Register** of July 30, 2025, in FR Doc. 2025–14405 (90 FR 35963), correct the following sections to read:

2. Title: Additional records to be made and retained by casinos.

OMB Control Number: 1506–0054.

Abstract: FinCEN is issuing this notice to renew the OMB control number for regulations requiring additional records to be made and retained by casinos.

Affected Public: Businesses or other for-profit institutions.

Type of Review: Renewal without change of a currently approved information collection.

Estimated Number of Respondents: 1,292.

Frequency of Response: As required.

Estimated Total Number of Annual Responses: 2,183,460.

Estimated Average Recordkeeping Time per Response: 0.05 hours.

Estimated Total Annual Burden Hours: 118,863 hours.

3. Title: Reports of transactions with foreign financial agencies.

OMB Control Number: 1506–0055.

Abstract: FinCEN is issuing this notice to renew the OMB control number for regulations requiring reports of transactions with designated FFAs.

Affected Public: Businesses or other for-profit institutions, and non-profit institutions.

Type of Review: Renewal without change of a currently approved information collection.

Estimated Number of Potential Respondents: 46,158.

Estimated Number of Expected Respondents: 40.

Frequency of Response: As required.

Estimated Total Number of Annual Responses: 240.

Estimated Average Time per Response: 168.75 hours.

Estimated Total Annual Burden Hours: 40,500.

4. Title: Reporting obligations on foreign bank relationships with Iranian-linked financial institutions designated under IEEPA and IRGC-linked persons designated under IEEPA.

OMB Control Number: 1506–0066.

Form Number: Optional form—certification for purposes of section 104(e) of CISADA.

Abstract: FinCEN is issuing this notice to renew the OMB control number for the CISADA regulations that require, upon receiving a CISADA Request, a U.S. bank that maintains a correspondent account for a specified foreign bank to inquire with the foreign bank and report to FinCEN with respect to transactions or other financial services provided by that foreign bank to Iranian-linked financial institutions and IRGC-linked persons.

Affected Public: Businesses or other for-profit institutions, and non-profit institutions.

Type of Review: Renewal without change of a currently approved information collection.

Estimated Number of Potential Respondents: 9,384.

Estimated Number of Expected Respondents: 24.

Frequency of Response: As required.

Estimated Total Number of Annual Responses: 72.

Estimated Average Time per Response: 2.16 hours.

Estimated Total Annual Burden Hours: 156 hours.

Authority: 44 U.S.C. 3501 *et seq.*

Spencer W. Clark,

Treasury PRA Clearance Officer.

[FR Doc. 2025–16048 Filed 8–20–25; 8:45 am]

BILLING CODE 4810–02–P

FEDERAL REGISTER

Vol. 90 Thursday,
No. 160 August 21, 2025

Part II

Environmental Protection Agency

40 CFR Part 52
Air Plan Approval; California; Revised Format for Materials Incorporated by Reference; Final Rule

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R09–OAR–2024–0527; FRL–12812–01–R9]

Air Plan Approval; California; Revised Format for Materials Incorporated by Reference

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule; administrative change.

SUMMARY: The Environmental Protection Agency (EPA) is revising the format for materials submitted by the State of California that are incorporated by reference into the California State Implementation Plan (SIP). The regulations and other materials affected by this format change have all been previously submitted by the State of California and approved by the EPA. This format revision will primarily affect the ''Identification of plan—in part'' sections, as well as the format of the SIP materials that will be available for public inspection at the EPA Regional Office and the National Archives and Records Administration (NARA). This action, which only relates to source-specific requirements and certain local and regional California air district rules, is the fourth of a series of actions intended to change the format for the entire California SIP.

DATES: This rule is effective on August 21, 2025.

ADDRESSES: The EPA has established a docket for this action under Docket ID No. EPA–R09–OAR–2024–0527. SIP materials which are incorporated by reference into 40 CFR part 52 are available for inspection by appointment at Environmental Protection Agency, Region IX, 75 Hawthorne Street, San Francisco, CA 94105–3901. For information on the availability of this material at the EPA Regional Office, please contact the person in the **FOR FURTHER INFORMATION CONTACT** section of this document.

FOR FURTHER INFORMATION CONTACT: Doris Lo, EPA Region IX, 75 Hawthorne St., San Francisco, CA; telephone: (415) 972–3959; email address: *lo.doris@epa.gov.*

SUPPLEMENTARY INFORMATION: Throughout this document, the terms ''we'', ''us,'' and ''our'' refer to the EPA. This supplementary information section is organized as follows:

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I. Background
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I. Background

A. Description of a SIP

Each State has a SIP containing, among other things, the control measures and strategies used to attain and maintain the national ambient air quality standards (NAAQS). The SIP is extensive, containing such elements as air pollution control regulations, emission inventories, monitoring networks, attainment demonstrations, and enforcement mechanisms.

B. How the EPA Enforces SIPs

Each State must formally adopt the control measures and strategies to attain and maintain the NAAQS after the public has had an opportunity to comment on them. They are then submitted to the EPA as requested SIP revisions upon which the EPA must formally act. Once these control measures and strategies are approved by the EPA, after notice and comment rulemaking, they are incorporated into the federally approved SIP and are identified in part 52 (Approval and Promulgation of Implementation Plans), title 40 of the Code of Federal Regulations (40 CFR part 52). The EPA uses the process of incorporation by reference (IBR) to incorporate material into the CFR by referencing the original document(s) without publishing the full text of the material. The actual State regulations approved by the EPA are not reproduced in their entirety in 40 CFR part 52 but are ''incorporated by reference,'' which means that the EPA has approved a given State regulation with a specific effective date. This format allows both the EPA and the public to know which measures are contained in a given SIP and to help determine whether the State is enforcing the regulations. This format also assists the EPA and the public in taking enforcement action, should a State not enforce its SIP-approved regulations.

C. How the State and the EPA Update the SIP

The SIP is a dynamic document, which the State can revise as necessary to address the unique air pollution problems in the State. Therefore, the EPA must periodically take action on State SIP revisions containing new and/or revised regulations and other materials in order to make them part of the federally-approved SIP. The EPA establishes a docket for its actions using a unique Docket Identification Number, which is listed in each action. These dockets and the complete submissions are available for viewing on *https://www.regulations.gov.*

On May 22, 1997 (62 FR 27968), the EPA revised the formatting procedures for incorporating by reference federally-approved SIP revisions, as a result of consultations between the EPA and the Office of the Federal Register. These procedures include: (1) a revised SIP document for each State that would use the IBR process under the provisions of title 1 CFR part 51; (2) a revised mechanism for announcing the EPA's approval of revisions to an applicable SIP and updating both the document that has gone through the IBR process and the CFR; and (3) a revised format of the ''Identification of Plan'' sections for each applicable subpart in 40 CFR part 52 to reflect these revised IBR procedures. The description of the revised SIP document, IBR procedures, and ''Identification of plan'' format are discussed in further detail in the May 22, 1997 **Federal Register** document. We have taken action to revise the format for many State SIPs, *see, e.g.,* 40 CFR 52.1470 and 52.1490 (''Identification of plan'' and ''Original identification of plan'' sections for the State of Nevada SIP), and take a fourth step today toward revising the format of the California SIP.

D. How the EPA Compiles the SIPs

Under the revised SIP format, the federally-approved regulations, source-specific requirements, and nonregulatory provisions (entirely or portions of) submitted by each State agency have been compiled by the EPA into a ''SIP compilation.'' The SIP compilation contains the regulations, source-specific requirements, and nonregulatory and quasi-regulatory provisions approved by the EPA through previous rulemaking actions published in the **Federal Register**.

E. How the EPA Organizes the SIP Compilation

Each compilation contains three parts. Part one contains the regulations, part

two contains the source-specific requirements, and part three contains the nonregulatory and quasi-regulatory provisions that have been approved by EPA as part of the SIP. Each part consists of a table or tables of identifying information for each SIP-approved regulation, each SIP-approved source-specific requirement, and each nonregulatory or quasi-regulatory SIP provision. The EPA Regional Offices have the primary responsibility for updating the compilations and ensuring their accuracy.

F. Where You Can Find a Copy of the SIP Compilation

EPA Region IX has developed and will maintain the SIP compilation for California. A copy of the full text of California's regulatory and source-specific SIP compilation will also be maintained at NARA.

G. The Format of the California Identification of Plan Sections

Given the size of the California SIP, the EPA is revising the format of the California SIP in a phased manner. On May 26, 2016 (81 FR 33397), the EPA took the first action to revise the format of the ''Identification of plan'' section in subpart F in accordance with the revised format described in Section I.C. of this document. Through the first action, we revised the heading of § 52.220 to read ''Identification of plan—in part'' and added an introductory paragraph to convey our division of the California ''Identification of plan'' section into two sections:

- Amended § 52.220 (renamed ''Identification of plan—in part''), which would continue for the time being to function as it has in the past to list past and newly-approved air district rules, local ordinances, source-specific requirements, and nonregulatory and quasi-regulatory provisions and which lists State statutes and State regulations approved on or prior to April 1, 2016; and
- New § 52.220a (''Identification of plan—in part''), which lists the State statutes and State regulations approved as part of the California SIP as of April 1, 2016, using the new table format.

This meant that subsequent EPA approvals of air district rules, local ordinances, source-specific requirements, and nonregulatory and quasi-regulatory provisions would continue to be promulgated in 40 CFR 52.220 using the paragraph format whereas subsequent EPA approvals of State statutes and State regulations would be promulgated in 40 CFR 52.220a using the table format. In preparation for future actions to revise the format of the remaining portions of the California SIP, the May 26, 2016 action also organized 40 CFR 52.220a into five paragraphs: (a) Purpose and scope; (b) Incorporation by reference; (c) EPA-approved regulations; (d) EPA-approved source-specific requirements; and (e) EPA-approved nonregulatory provisions and quasi-regulatory measures. ''Nonregulatory provisions and quasi-regulatory measures'' refers to items such as transportation control measures, certain nonregulatory statutory provisions, control strategies, and monitoring networks.

Our phased approach to converting the format of the California SIP anticipated that, over time, as the EPA completes further rulemaking actions to convert the format of the California SIP, § 52.220a would include a growing number of air district rules, local ordinances, source-specific requirements, and nonregulatory and quasi-regulatory provisions. Once the conversion process is completed, the EPA will redesignate § 52.220a as § 52.220 and rename it simply ''Identification of plan.'' At that point, all subsequent actions by the EPA to approve California SIP revisions will be promulgated using the new table format. The revised format does not affect Federal enforceability of the SIP and is consistent with the requirements of section 110(h)(1) of the Clean Air Act (CAA) concerning comprehensive SIP publication.

On June 4, 2025 (90 FR 23618), the EPA took a second action to revise the format of the California SIP by converting the format for local ordinances and air district rules approved on or prior to April 17, 2025, for the following air districts: Amador Air District, Antelope Valley Air Quality Management District (AQMD), Bay Area AQMD, Butte County AQMD, Calaveras County Air Pollution Control District (APCD), Colusa County APCD, Eastern Kern APCD, and El Dorado County AQMD. A third action was taken on July 7, 2025, (90 FR 29934) that converted the format for the nonregulatory provisions and quasi-regulatory measures portion of the California SIP.

In this fourth action to revise the format of the California SIP, we are converting the format and publishing the tables listing EPA-approved source-specific requirements as well as EPA-approved rules adopted by the following 21 California air districts: Feather River AQMD, Glenn County APCD, Great Basin Unified APCD, Imperial County APCD, Lake County AQMD, Lassen County APCD, Mariposa County APCD, Mendocino County AQMD, Modoc County APCD, Monterey Bay Air Resources District, North Coast Unified AQMD, Northern Sierra AQMD, Northern Sonoma County APCD, San Diego County APCD, San Luis Obispo County APCD, Santa Barbara County APCD, Shasta County AQMD, Siskiyou County APCD, Tehama County APCD, Tuolumne County APCD, and Yolo-Solano County AQMD. This format revision involves materials approved on or before June 30, 2025, that are part of the current applicable SIP. All subsequent actions by the EPA to approve California SIP revisions related to source-specific requirements or these 21 air districts will be promulgated in 40 CFR 52.220a, paragraph (c) using the new table format. EPA approvals of rules from Mojave Desert AQMD, Placer County APCD, Sacramento Metropolitan AQMD, San Joaquin Valley Unified APCD, South Coast AQMD, and Ventura County APCD will continue to be promulgated in 40 CFR 52.220 using the paragraph format. The format for portions of the California SIP related to rules from these remaining air districts will be revised in future rulemaking actions.

H. When a SIP Revision Becomes Federally Enforceable

All revisions to the applicable SIP become federally enforceable as of the effective date of the revision to the applicable ''Identification of plan'' or ''Identification of plan—in part'' section found in each subpart of 40 CFR part 52. All future revisions to the relevant portion of the applicable SIP being converted to the new table format in this action become federally enforceable as of the effective date of the revisions to paragraph (c) or (d) of § 52.220a, in subpart F of 40 CFR part 52.

I. The Historical Record of SIP Revision Approvals

To facilitate enforcement of previously approved SIP provisions and provide a smooth transition to the new SIP processing system, the EPA will retain the ''Identification of plan—in part'' section for California appearing in 40 CFR 52.220 until the conversion process is completed. After the conversion of the entire California SIP is completed, the ''Identification of plan—in part'' section will be moved to 40 CFR 52.250 and renamed ''Original identification of plan.'' After an initial one or two-year period, the EPA will review its experience with the new SIP processing system and decide whether to retain the ''Original identification of plan'' section for some further period.

II. What the EPA Is Doing in This Action

In this action, the EPA is revising the format for portions of the applicable California SIP related to source-specific requirements and the rules from the following 21 air districts: Feather River AQMD, Glenn County APCD, Great Basin Unified APCD, Imperial County APCD, Lake County AQMD, Lassen County APCD, Mariposa County APCD, Mendocino County AQMD, Modoc County APCD, Monterey Bay Air Resources District, North Coast Unified AQMD, Northern Sierra AQMD, Northern Sonoma County APCD, San Diego County APCD, San Luis Obispo County APCD, Santa Barbara County APCD, Shasta County AQMD, Siskiyou County APCD, Tehama County APCD, Tuolumne County APCD, Yolo-Solano County AQMD. This format revision involves materials approved on or before June 30, 2025, that are part of the current applicable SIP.

This action constitutes a ''housekeeping'' exercise to ensure that all EPA-approved revisions to the State programs that have occurred are accurately reflected in 40 CFR part 52. The requirements that apply to States and that relate to SIPs and SIP revisions are set forth in the Clean Air Act and in the EPA's regulations at 40 CFR part 51. When the EPA receives a formal SIP revision request, the Agency must publish the proposed revision in the **Federal Register** and provide for public comment before approval.

The EPA has determined that this rule falls under the ''good cause'' exemption in section 553(b)(B) of the Administrative Procedure Act (APA), which, upon finding ''good cause,'' authorizes agencies to dispense with public participation and section 553(d)(3), which allows an agency to make a rule effective immediately, thereby avoiding the 30-day delayed effective date otherwise provided for in the APA. This action simply reformats and recodifies provisions that are already in effect as a matter of law in Federal and approved State programs. Under section 553 of the APA, an agency may find good cause where notice and public procedure are ''impractical, unnecessary, or contrary to the public interest.'' Public comment is ''unnecessary'' and ''contrary to the public interest'' for this action because the EPA is merely reformatting and recodifying existing law. Immediate notice in the CFR benefits the public by removing outdated citations and making the IBR format clearer and more user-friendly.

III. Incorporation by Reference

In this rule, the EPA is finalizing regulatory text that includes incorporation by reference. In accordance with requirements of 1 CFR 51.5, the EPA is reformatting the materials incorporated by reference in previous rulemakings on submittals of the California SIP and SIP revisions, as described in section II of this preamble. The EPA has made, and will continue to make, these documents generally available through *www.regulations.gov* and at the appropriate EPA office (see the **ADDRESSES** section of this preamble for more information).

IV. Statutory and Executive Order Reviews

A. General Requirements

This action does not impose additional requirements beyond those previously approved into the SIP and already imposed by State law. For that reason, this action:

- Is not a significant regulatory action subject to review by the Office of Management and Budget under Executive Order 12866 (58 FR 51735, October 4, 1993);
- Is not subject to Executive Order 14192 (90 FR 9065, February 6, 2025) because SIP actions are exempt from review under Executive Order 12866;
- Does not impose an information collection burden under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*);
- Is certified as not having a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*);
- Does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4);
- Does not have Federalism implications as specified in Executive Order 13132 (64 FR 43255, August 10, 1999);
- Is not subject to Executive Order 13045 (62 FR 19885, April 23, 1997) because it is an administrative action related to State program approval;
- Is not a significant regulatory action subject to Executive Order 13211 (66 FR 28355, May 22, 2001); and
- Is not subject to requirements of section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) because application of those requirements would be inconsistent with the CAA.

In addition, the SIP is not approved to apply on any Indian reservation land or in any other area where the EPA or an Indian Tribe has demonstrated that a Tribe has jurisdiction. In those areas of Indian country, the rule does not have Tribal implications and will not impose substantial direct costs on Tribal governments or preempt Tribal law as specified by Executive Order 13175 (65 FR 67249, November 9, 2000).

B. Submission to Congress and the Comptroller General

The Congressional Review Act (5 U.S.C. 801 *et seq.*), as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. Section 808 allows the issuing agency to make a rule effective sooner than otherwise provided by the CRA if the agency makes a good cause finding that notice and public procedure is impracticable, unnecessary or contrary to the public interest. This action simply reformats and recodifies provisions that are already in effect as a matter of law in Federal and approved State programs. 5 U.S.C. 802(2). As stated previously, the EPA has made such a good cause finding, including the basis for that finding, and established an effective date of August 21, 2025. The EPA will submit a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of the rule in the **Federal Register**. This action is not a ''major rule'' as defined by 5 U.S.C. 804(2).

C. Petitions for Judicial Review

The EPA has also determined that the provisions of section 307(b)(1) of the CAA pertaining to petitions for judicial review are not applicable to this action. Prior EPA rulemaking actions for each individual component of the California SIP compilation had previously afforded interested parties the opportunity to file a petition for judicial review in the United States Court of Appeals for the appropriate circuit within 60 days of such rulemaking action. Thus, the EPA believes judicial review of this action under section 307(b)(1) is not available.

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Carbon oxides, Incorporation by reference, Intergovernmental relations, Lead, Nitrogen oxides, Ozone, Particulate matter, Reporting and recordkeeping

requirements, Sulfur oxides, Volatile organic compounds.

Dated: August 7, 2025.

Joshua F.W. Cook,

Regional Administrator, Region IX.

For the reasons stated in the preamble, the Environmental Protection Agency amends part 52, chapter I, title 40 of the Code of Federal Regulations as follows:

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

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

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

Subpart F—California

■ 2. Section 52.220 is amended by revising the introductory text to read as follows:

§ 52.220 Identification of plan—in part.

This section identifies the local and regional air district rules, local ordinances, source-specific requirements, and nonregulatory materials submitted by the State of California and approved as part of the California state implementation plan. This section also identifies California statutes and state regulations submitted by the State of California and approved as part of the California state implementation plan on or prior to April 1, 2016. New or amended California statutes and state regulations approved after April 1, 2016, are identified in § 52.220a. New or amended local ordinances approved after April 17, 2025, are identified in § 52.220a. New or amended air district rules approved after April 17, 2025, are identified in § 52.220a for the following air districts: Amador Air District, Antelope Valley Air Quality Management District, Bay Area Air Quality Management District, Butte County Air Quality Management District, Calaveras County Air Pollution Control District, Colusa County Air Pollution Control District, Eastern Kern Air Pollution Control District, and El Dorado County Air Quality Management District. New or amended nonregulatory materials approved after July 3, 2025, are identified in § 52.220a. New or amended source-specific requirements approved after June 30, 2025, are identified in § 52.220a. New or amended air district rules approved after June 30, 2025, are identified in § 52.220a for the following air districts: Feather River Air Quality Management District, Glenn County Air Pollution Control District, Great Basin Unified Air Pollution Control District, Imperial County Air Pollution Control District, Lake County Air Quality Management District, Lassen County Air Pollution Control District, Mariposa County Air Pollution Control District, Mendocino County Air Quality Management District, Modoc County Air Pollution Control District, Monterey Bay Air Resources District, North Coast Unified Air Quality Management District, Northern Sierra Air Quality Management District, Northern Sonoma County Air Pollution Control District, San Diego County Air Pollution Control District, San Luis Obispo County Air Pollution Control District, Santa Barbara County Air Pollution Control District, Shasta County Air Quality Management District, Siskiyou County Air Pollution Control District, Tehama County Air Pollution Control District, Tuolumne County Air Pollution Control District, and Yolo-Solano County Air Quality Management District.

* * * * *

■ 3. Section 52.220a is amended by:
■ a. Adding paragraphs (b)(1)(xii) through (xxxviii);
■ b. Revising tables 12 through 38 to paragraph (c);
■ c. Removing table 39 to paragraph (c); and
■ d. Adding paragraph (d).

The additions and revisions read as follows:

§ 52.220a Identification of plan—in part.

(b) * * *

(1) * * *

(xii) *EPA-Approved Feather River Air Quality Management District Regulations; Sutter County Air Pollution Control District Regulations; Yuba County Air Pollution Control District Regulations.* Material listed in Table 12 to paragraph (c) of this section was approved by EPA for inclusion in the SIP on June 30, 2025.

(xiii) *EPA-Approved Glenn County Air Pollution Control District Regulations.* Material listed in Table 13 to paragraph (c) of this section was approved by EPA for inclusion in the SIP on June 30, 2025.

(xiv) *EPA-Approved Great Basin Unified Air Pollution Control District Regulations.* Material listed in Table 14 to paragraph (c) of this section was approved by EPA for inclusion in the SIP on June 30, 2025.

(xv) *EPA-Approved Imperial County Air Pollution Control District Regulations.* Material listed in Table 15 to paragraph (c) of this section was approved by EPA for inclusion in the SIP on June 30, 2025.

(xvi) *EPA-Approved Lake County Air Quality Management District Regulations.* Material listed in Table 16 to paragraph (c) of this section was approved by EPA for inclusion in the SIP on June 30, 2025.

(xvii) *EPA-Approved Lassen County Air Pollution Control District Regulations.* Material listed in Table 17 to paragraph (c) of this section was approved by EPA for inclusion in the SIP on June 30, 2025.

(xviii) *EPA-Approved Mariposa County Air Pollution Control District Regulations.* Material listed in Table 18 to paragraph (c) of this section was approved by EPA for inclusion in the SIP on June 30, 2025.

(xix) *EPA-Approved Mendocino County Air Pollution Control District Regulations.* Material listed in Table 19 to paragraph (c) of this section was approved by EPA for inclusion in the SIP on June 30, 2025.

(xx) *EPA-Approved Modoc County Air Pollution Control District Regulations.* Material listed in Table 20 to paragraph (c) of this section was approved by EPA for inclusion in the SIP on June 30, 2025.

(xxi) *EPA-Approved Mojave Desert Air Quality Management District Regulations (District-Wide, Riverside County Portion of District, And San Bernardino County Portion of District).* Reserved.

(xxii) *EPA-Approved Monterey Bay Air Resources District Regulations.* Material listed in Table 22 to paragraph (c) of this section was approved by EPA for inclusion in the SIP on June 30, 2025.

(xxiii) *EPA-Approved North Coast Unified Air Quality Management District Regulations; Del Norte County Air Pollution Control District Regulations; Humboldt County Air Pollution Control District Regulations; Trinity County Air Pollution Control District Regulations.* Material listed in Table 23 to paragraph (c) of this section was approved by EPA for inclusion in the SIP on June 30, 2025.

(xxiv) *EPA-Approved Northern Sierra Air Quality Management District Regulations; Nevada County Air Pollution Control District Regulations; Plumas County Air Pollution Control District Regulations; Sierra County Air Pollution Control District Regulations.* Material listed in Table 24 to paragraph (c) of this section was approved by EPA for inclusion in the SIP on June 30, 2025.

(xxv) *EPA-Approved Northern Sonoma County Air Pollution Control District Regulations.* Material listed in Table 25 to paragraph (c) of this section was approved by EPA for inclusion in the SIP on June 30, 2025.

(xxvi) *EPA-Approved Placer County Air Pollution Control District Regulations.* Reserved.

(xxvii) *EPA-Approved Sacramento Metropolitan Air Quality Management District Regulations.* Reserved.

(xxviii) *EPA-Approved San Diego County Air Pollution Control District Regulations.* Material listed in Table 28 to paragraph (c) of this section was approved by EPA for inclusion in the SIP on June 30, 2025.

(xxix) *EPA-Approved San Joaquin Valley Unified Air Pollution Control District Regulations; Fresno County Air Pollution Control District Regulations; Kern County Air Pollution Control District Regulations; Kings County Air Pollution Control District Regulations; Madera County Air Pollution Control District Regulations; Merced County Air Pollution Control District Regulations; San Joaquin County Air Pollution Control District Regulations; Stanislaus County Air Pollution Control District Regulations; Tulare County Air Pollution Control District Regulations.* Reserved.

(xxx) *EPA-Approved San Luis Obispo County Air Pollution Control District Regulations.* Material listed in Table 30 to paragraph (c) of this section was approved by EPA for inclusion in the SIP on June 30, 2025.

(xxxi) *EPA-Approved Santa Barbara County Air Pollution Control District Regulations.* Material listed in Table 31 to paragraph (c) of this section was approved by EPA for inclusion in the SIP on June 30, 2025.

(xxxii) *EPA-Approved Shasta County Air Quality Management District Regulations.* Material listed in Table 32 to paragraph (c) of this section was approved by EPA for inclusion in the SIP on June 30, 2025.

(xxxiii) *EPA-Approved Siskiyou County Air Pollution Control District Regulations.* Material listed in Table 33 to paragraph (c) of this section was approved by EPA for inclusion in the SIP on June 30, 2025.

(xxxiv) *EPA-Approved South Coast Air Quality Management District Regulations; Los Angeles County Air Pollution Control District Regulations; Orange County Air Pollution Control District Regulations; Riverside County Air Pollution Control District Regulations; San Bernardino County Air Pollution Control District Regulations.* Reserved.

(xxxv) *EPA-Approved Tehama County Air Pollution Control District Regulations.* Material listed in Table 35 to paragraph (c) of this section was approved by EPA for inclusion in the SIP on June 30, 2025.

(xxxvi) *EPA-Approved Tuolumne County Air Pollution Control District Regulations.* Material listed in Table 36 to paragraph (c) of this section was approved by EPA for inclusion in the SIP on June 30, 2025.

(xxxvii) *EPA-Approved Ventura County Air Pollution Control District Regulations.* Reserved.

(xxxviii) *EPA-Approved Yolo-Solano Air Quality Management District Regulations.* Material listed in Table 38 to paragraph (c) of this section was approved by EPA for inclusion in the SIP on June 30, 2025.

* * * * *

(c) * * *

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TABLE 12—EPA-APPROVED FEATHER RIVER AIR QUALITY MANAGEMENT DISTRICT REGULATIONS; SUTTER COUNTY AIR POLLUTION CONTROL DISTRICT REGULATIONS; YUBA COUNTY AIR POLLUTION CONTROL DISTRICT REGULATIONS

District citation	Title/subject	State effective date	EPA approval date	Additional explanation
RULES AND REGULATIONS (DISTRICT-WIDE APPLICABILITY)				
Regulation II—Open Burning				
2.0	Open Burning	October 6, 2008	December 16, 2014, 79 FR 74647.	Submitted on August 15, 2014. See 40 CFR 52.220(c)(448)(i)(A)(*1*).
Regulation III—Prohibition—Stationary Emission Sources				
3.0	Visible Emissions	August 12, 1991	March 19, 2025, 90 FR 12688.	Submitted electronically on May 11, 2023, as an attachment to a letter dated May 10, 2023. See 40 CFR 52.220(c)(610)(i)(E)(*1*).
3.1, excluding paragraph D.	Exceptions to Rule 3.0	August 12, 1991	March 19, 2025, 90 FR 12688.	Submitted electronically on May 11, 2023, as an attachment to a letter dated May 10, 2023. See 40 CFR 52.220(c)(610)(i)(E)(*2*).
3.2	Particulate Matter Concentration	August 12, 1991	March 19, 2025, 90 FR 12688.	Submitted electronically on May 11, 2023, as an attachment to a letter dated May 10, 2023. See 40 CFR 52.220(c)(610)(i)(E)(*3*).
3.3	Dust and Fumes	August 12, 1991	March 19, 2025, 90 FR 12688.	Submitted electronically on May 11, 2023, as an attachment to a letter dated May 10, 2023. See 40 CFR 52.220(c)(610)(i)(E)(*4*).
3.4	Separation of Emissions	August 12, 1991	March 19, 2025, 90 FR 12688.	Submitted electronically on May 11, 2023, as an attachment to a letter dated May 10, 2023. See 40 CFR 52.220(c)(610)(i)(E)(*5*).
3.5	Combination of Emissions	August 12, 1991	March 19, 2025, 90 FR 12688.	Submitted electronically on May 11, 2023, as an attachment to a letter dated May 10, 2023. See 40 CFR 52.220(c)(610)(i)(E)(*6*).
3.6	Abrasive Blasting	August 12, 1991	March 19, 2025, 90 FR 12688.	Submitted electronically on May 11, 2023, as an attachment to a letter dated May 10, 2023. See 40 CFR 52.220(c)(610)(i)(E)(*7*).
3.7	Reduction of Animal Matter	August 12, 1991	March 19, 2025, 90 FR 12688.	Submitted electronically on May 11, 2023, as an attachment to a letter dated May 10, 2023. See 40 CFR 52.220(c)(610)(i)(E)(*8*).
3.8	Gasoline Dispensing Facilities	June 2, 2014	July 8, 2015, 80 FR 38959.	Submitted on November 6, 2014. See 40 CFR 52.220(c)(457)(i)(A)(*3*).
3.10	Sulfur Oxides	August 12, 1991	March 19, 2025, 90 FR 12688.	Submitted electronically on May 11, 2023, as an attachment to a letter dated May 10, 2023. See 40 CFR 52.220(c)(610)(i)(E)(*9*).
3.13	Circumvention	August 12, 1991	March 19, 2025, 90 FR 12688.	Submitted electronically on May 11, 2023, as an attachment to a letter dated May 10, 2023. See 40 CFR 52.220(c)(610)(i)(E)(*10*).

TABLE 12—EPA-APPROVED FEATHER RIVER AIR QUALITY MANAGEMENT DISTRICT REGULATIONS; SUTTER COUNTY AIR POLLUTION CONTROL DISTRICT REGULATIONS; YUBA COUNTY AIR POLLUTION CONTROL DISTRICT REGULATIONS—Continued

District citation	Title/subject	State effective date	EPA approval date	Additional explanation
3.14	Surface Preparation and Clean-Up	August 1, 2016	April 26, 2021, 86 FR 21941.	Submitted on January 24, 2017. See 40 CFR 52.220(c)(497)(i)(E)(*2*).
3.15	Architectural Coatings	August 4, 2014	December 8, 2015, 80 FR 76222.	Submitted on November 6, 2014. See 40 CFR 52.220(c)(457)(i)(A)(*5*).
3.17, except specific provisions of subsections E.8, F.2 and F.4.	Wood Heating Devices	October 5, 2009	December 16, 2014, 79 FR 74647.	Submitted on July 25, 2014. See 40 CFR 52.220(c)(447)(i)(A)(*1*).
3.19	Vehicle and Mobile Equipment Coating Operations.	August 1, 2016	September 16, 2020, 85 FR 57712.	Submitted on January 24, 2017. See 40 CFR 52.220(c)(497)(i)(E)(*1*).
3.20	Wood Products Coating Operations	August 1, 2011	April 23, 2015, 80 FR 22646.	Submitted on February 10, 2014. See 40 CFR 52.220(c)(442)(i)(E)(*2*).
3.21	Industrial, Institutional, and Commercial Boilers, Steam Generators, and Process Heaters.	June 5, 2006	April 23, 2015, 80 FR 22646.	Submitted on February 10, 2014. See 40 CFR 52.220(c)(442)(i)(E)(*3*).
3.22	Stationary Internal Combustion Engines.	October 6, 2014	April 23, 2015, 80 FR 22646.	Submitted on November 6, 2014. See 40 CFR 52.220(c)(457)(i)(A)(*2*).
3.23	Natural Gas-Fired Water Heaters, Small Boilers, and Process Heaters.	October 3, 2016	December 26, 2018, 83 FR 66136.	Submitted on May 8, 2017. See 40 CFR 52.220(c)(509)(i)(B)(*1*).
Regulation IV—Stationary Emission Sources Permit System and Registration				
4.8	Further Information	August 3, 2020	July 29, 2022, 87 FR 45657.	Submitted on December 15, 2020 as an attachment to a letter dated December 14, 2020. See 40 CFR 52.220(c)(576)(i)(A)(*1*).
Regulation VII—Fees				
7.15	Clean Air Act Nonattainment Fees	April 4, 2022	December 31, 2024, 89 FR 107012.	Submitted on July 5, 2022. See 40 CFR 52.220(c)(607)(i)(C)(*1*).
Regulation IX—Enforcement Procedures				
9.6	Equipment Breakdown	August 12, 1991	March 19, 2025, 90 FR 12688.	Submitted electronically on May 11, 2023, as an attachment to a letter dated May 10, 2023. See 40 CFR 52.220(c)(610)(i)(E)(*11*).
Regulation X—New Source Review				
10.1	New Source Review	October 6, 2014	October 5, 2015, 80 FR 60047.	Submitted on November 6, 2014. See 40 CFR 52.220(c)(457)(i)(A)(*4*).
10.4	General Conformity	November 7, 1994	April 23, 1999, 64 FR 19916.	Submitted on December 22, 1994. See 40 CFR 52.220(c)(210)(i)(F)(*1*).
10.9	Rice Straw Emission Reduction Credits and Banking.	October 6, 2014	April 23, 2015, 80 FR 22646.	Submitted on November 6, 2014. See 40 CFR 52.220(c)(457)(i)(A)(*1*).
10.10, except for the incorporation by reference of 40 CFR 52.21(b)(49)(v) into sections B and F.1.	Prevention of Significant Deterioration	August 1, 2011	November 12, 2015, 80 FR 69880.	Submitted on April 22, 2013. See 40 CFR 52.220(c)(429)(i)(D)(*1*). EPA also approved as part of the SIP a letter dated December 18, 2014 from Christopher D. Brown, Feather River Air Quality Management District, to Gerardo Rios, EPA Region IX clarifying District Rule 10.11 and 40 CFR 51.166. See 40 CFR 52.220(c)(429)(ii)(A)(*1*).
RULES AND REGULATIONS (SUTTER COUNTY PORTION OF DISTRICT)				
Regulation I—General Provisions				
1.0	Title	December 16, 1980	April 12, 1982, 47 FR 15585.	Submitted on January 28, 1981. See 40 CFR 52.220(c)(98)(i)(B).
1.1	Definitions	December 16, 1980	April 12, 1982, 47 FR 15585.	Submitted on January 28, 1981. See 40 CFR 52.220(c)(98)(i)(B).
1.2	Validity	December 16, 1980	April 12, 1982, 47 FR 15585.	Submitted on January 28, 1981. See 40 CFR 52.220(c)(98)(i)(B).
1.3	Effective Date	December 16, 1980	April 12, 1982, 47 FR 15585.	Submitted on January 28, 1981. See 40 CFR 52.220(c)(98)(i)(B).
1.3	Public Records	February 19, 1974	February 10, 1977, 42 FR 8376.	Submitted on July 19, 1974. See 40 CFR 52.220(c)(24)(i)(A).
Regulation III—Prohibitions—Stationary Emission Sources				
3.9	Incinerator Burning	December 16, 1980	April 12, 1982, 47 FR 15585.	Submitted on January 28, 1981. See 40 CFR 52.220(c)(98)(i)(B).
3.12	Organic Solvents	December 16, 1980	April 12, 1982, 47 FR 15585.	Submitted on January 28, 1981. See 40 CFR 52.220(c)(98)(i)(B).

TABLE 12—EPA-APPROVED FEATHER RIVER AIR QUALITY MANAGEMENT DISTRICT REGULATIONS; SUTTER COUNTY AIR POLLUTION CONTROL DISTRICT REGULATIONS; YUBA COUNTY AIR POLLUTION CONTROL DISTRICT REGULATIONS—Continued

District citation	Title/subject	State effective date	EPA approval date	Additional explanation
Regulation IV—Stationary Emission Sources Permit Systems and Registration				
4.0	General Requirements	December 16, 1980	April 12, 1982, 47 FR 15585.	Submitted on January 28, 1981. See 40 CFR 52.220(c)(98)(i)(B).
4.1	Permits Required	December 16, 1980	April 12, 1982, 47 FR 15585.	Submitted on January 28, 1981. See 40 CFR 52.220(c)(98)(i)(B).
4.1	Prohibitions Under State Law	May 4, 1970	May 31, 1972, 37 FR 10842.	Submitted on February 21, 1972. See 40 CFR 52.220(b).
4.2	Existing Emission Sources	December 16, 1980	April 12, 1982, 47 FR 15585.	Submitted on January 28, 1981. See 40 CFR 52.220(c)(98)(i)(B).
4.3	Exemptions from Permit	December 16, 1980	April 12, 1982, 47 FR 15585.	Submitted on January 28, 1981. See 40 CFR 52.220(c)(98)(i)(B).
4.4	Standards for Granting Applications	December 16, 1980	April 12, 1982, 47 FR 15585.	Submitted on January 28, 1981. See 40 CFR 52.220(c)(98)(i)(B).
4.5	Conditional Approval	December 16, 1980	April 12, 1982, 47 FR 15585.	Submitted on January 28, 1981. See 40 CFR 52.220(c)(98)(i)(B).
4.12	Implementation Plans	December 16, 1980	April 12, 1982, 47 FR 15585.	Submitted on January 28, 1981. See 40 CFR 52.220(c)(98)(i)(B).
4.13	Alteration of Permit	December 16, 1980	April 12, 1982, 47 FR 15585.	Submitted on January 28, 1981. See 40 CFR 52.220(c)(98)(i)(B).
4.14	Posting of Permit	December 16, 1980	April 12, 1982, 47 FR 15585.	Submitted on January 28, 1981. See 40 CFR 52.220(c)(98)(i)(B).
4.15	Transfer of Permit	December 16, 1980	April 12, 1982, 47 FR 15585.	Submitted on January 28, 1981. See 40 CFR 52.220(c)(98)(i)(B).
Regulation IX—Enforcement Procedures				
9.5	Air Pollution Equipment—Scheduled Maintenance.	December 16, 1980	April 12, 1982, 47 FR 15585.	Submitted on January 28, 1981. See 40 CFR 52.220(c)(98)(i)(B).
RULES AND REGULATIONS (YUBA COUNTY PORTION OF DISTRICT)				
Regulation I—General Provisions				
1	Title	January 30, 1979	January 26, 1982, 47 FR 3550.	Submitted on October 15, 1979. See 40 CFR 52.220(c)(52)(xvi)(A).
1.1	Definitions	March 5, 1985	April 17, 1987, 52 FR 12522.	Submitted on October 16, 1985. See 40 CFR 52.220(c)(164)(i)(D)(*1*).
1.2	Validity	October 13, 1971	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
1.3	Effective Date	July 24, 1980	April 12, 1982, 47 FR 15585.	Submitted on March 30, 1981. See 40 CFR 52.220(c)(89)(iii)(B).
Regulation II—Prohibitions				
2.2	Emission Control for Used Motor Vehicles.	May 2, 1972	May 11, 1977, 42 FR 23803; corrected on August 22, 1977, 42 FR 42219.	Submitted on July 25, 1973. See 40 CFR 52.220(c)(21)(viii)(A).
Regulation III—Prohibition—Stationary Emission Sources				
3.9	Storage of Petroleum Products	June 14, 1983	October 3, 1984, 49 FR 39057.	Submitted on August 2, 1983. See 40 CFR 52.220(c)(150)(ii)(A).
3.12	Organic Solvents	July 24, 1980	May 3, 1982, 47 FR 18852.	Submitted on March 30, 1981. See 40 CFR 52.220(c)(89)(iii)(A).
Regulation IV—Stationary Emission Sources Permit System and Registration				
4.0	General Requirements	July 24, 1980	April 12, 1982, 47 FR 15585.	Submitted on March 30, 1981. See 40 CFR 52.220(c)(89)(iii)(B).
4.1	Permits Required	July 24, 1980	April 12, 1982, 47 FR 15585.	Submitted on March 30, 1981. See 40 CFR 52.220(c)(89)(iii)(B).
4.2	Existing Emission Sources	July 24, 1980	April 12, 1982, 47 FR 15585.	Submitted on March 30, 1981. See 40 CFR 52.220(c)(89)(iii)(B).
4.3	Exemptions from Permit and Registration.	July 24, 1980	April 12, 1982, 47 FR 15585.	Submitted on March 30, 1981. See 40 CFR 52.220(c)(89)(iii)(B).
4.4	Standards for Granting Applications	July 24, 1980	April 12, 1982, 47 FR 15585.	Submitted on March 30, 1981. See 40 CFR 52.220(c)(89)(iii)(B).
4.5	Conditional Approval	July 24, 1980	April 12, 1982, 47 FR 15585.	Submitted on March 30, 1981. See 40 CFR 52.220(c)(89)(iii)(B).
4.12	Implementation Plans	July 24, 1980	April 12, 1982, 47 FR 15585.	Submitted on March 30, 1981. See 40 CFR 52.220(c)(89)(iii)(B).

TABLE 12—EPA-APPROVED FEATHER RIVER AIR QUALITY MANAGEMENT DISTRICT REGULATIONS; SUTTER COUNTY AIR POLLUTION CONTROL DISTRICT REGULATIONS; YUBA COUNTY AIR POLLUTION CONTROL DISTRICT REGULATIONS—Continued

District citation	Title/subject	State effective date	EPA approval date	Additional explanation
Regulation IX—Enforcement Procedures				
9.5	Air Pollution Equipment—Scheduled Maintenance.	July 24, 1980	April 12, 1982, 47 FR 15585.	Submitted on March 30, 1981. See 40 CFR 52.220(c)(89)(iii)(B).

TABLE 13—EPA-APPROVED GLENN COUNTY AIR POLLUTION CONTROL DISTRICT REGULATIONS

District citation	Title/subject	State effective date	EPA approval date	Additional explanation
Article I—General Provisions				
1	Title	March 28, 1972	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
2 (paragraph (y) only)	Definitions	March 28, 1972	September 22, 1972, 37 FR 19812.	All of the definitions have been superseded except for ''multi chamber incinerator.'' Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
2 (paragraph (hh) only)	Definitions	May 30, 1972	September 22, 1972, 37 FR 19812.	CARB added this definition (''source operation'') to the Glenn County air pollution rulebook per Resolution 72–59. Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
2	Definitions	August 31, 1974	May 11, 1977, 42 FR 23803; corrected on August 22, 1977, 42 FR 42219.	Includes 43 defined terms. Submitted on January 10, 1975. See 40 CFR 52.220(c)(26)(iv)(A).
2 (paragraphs (a), (i), (v), and (aa) only).	Definitions	April 15, 1980	January 26, 1982, 47 FR 3549.	The definitions that were approved include those for ''agricultural burning,'' ''brush treated,'' ''garbage,'' and ''bulk storage plant.'' Submitted on November 3, 1980. See 40 CFR 52.220(c)(96)(iii)(A).
4	Validity	March 28, 1972	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
5	Effective Date	March 28, 1972	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
Article II—Agricultural Burning				
10	Agricultural Burning Permits	August 31, 1974	May 11, 1977, 42 FR 23803; corrected on August 22, 1977, 42 FR 42219.	Submitted on January 10, 1975. See 40 CFR 52.220(c)(26)(iv)(A).
11	Reporting-Recording	April 15, 1980	January 26, 1982, 47 FR 3549.	Submitted on November 3, 1980. See 40 CFR 52.220(c)(96)(iii)(A).
11.1	Agricultural Waste Burning Restrictions.	April 15, 1980	January 26, 1982, 47 FR 3549.	Submitted on November 3, 1980. See 40 CFR 52.220(c)(96)(iii)(A).
11.2	No title [field crop acreage harvested prior to September 10th—specific requirements].	April 15, 1980	January 26, 1982, 47 FR 3549.	Submitted on November 3, 1980. See 40 CFR 52.220(c)(96)(iii)(A).
12	Hours of Burning	August 31, 1974	May 11, 1977, 42 FR 23803; corrected on August 22, 1977, 42 FR 42219.	Submitted on January 10, 1975. See 40 CFR 52.220(c)(26)(iv)(A).
13	No-Burn Days	April 15, 1980	January 26, 1982, 47 FR 3549.	Submitted on November 3, 1980. See 40 CFR 52.220(c)(96)(iii)(A).
13.1	Restricted Burn and Quota Burn Day	April 15, 1980	January 26, 1982, 47 FR 3549.	Submitted on November 3, 1980. See 40 CFR 52.220(c)(96)(iii)(A).
14	Preparation of Material to be Burned	April 15, 1980	January 26, 1982, 47 FR 3549.	Submitted on November 3, 1980. See 40 CFR 52.220(c)(96)(iii)(A).
14.1	Range Improvement Burning	April 15, 1980	January 26, 1982, 47 FR 3549.	Submitted on November 3, 1980. See 40 CFR 52.220(c)(96)(iii)(A).
14.2	Forest Management Burning	April 15, 1980	January 26, 1982, 47 FR 3549.	Submitted on November 3, 1980. See 40 CFR 52.220(c)(96)(iii)(A).
14.3	Rice Straw Burning	April 15, 1980	January 26, 1982, 47 FR 3549.	Submitted on November 3, 1980. See 40 CFR 52.220(c)(96)(iii)(A).
15	Acreage Limitation	April 15, 1980	January 26, 1982, 47 FR 3549.	Submitted on November 3, 1980. See 40 CFR 52.220(c)(96)(iii)(A).
16	Exceptions	April 15, 1980	January 26, 1982, 47 FR 3549.	Submitted on November 3, 1980. See 40 CFR 52.220(c)(96)(iii)(A).

TABLE 13—EPA-APPROVED GLENN COUNTY AIR POLLUTION CONTROL DISTRICT REGULATIONS—Continued

District citation	Title/subject	State effective date	EPA approval date	Additional explanation
17	Tires	August 31, 1974	May 11, 1977, 42 FR 23803; corrected on August 22, 1977, 42 FR 42219.	Submitted on January 10, 1975. See 40 CFR 52.220(c)(26)(iv)(A).
18	Fire Prevention	March 28, 1972	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
19	Burning on No-Burn Days	April 15, 1980	January 26, 1982, 47 FR 3549.	Submitted on November 3, 1980. See 40 CFR 52.220(c)(96)(iii)(A).
20	Orchard Heaters	March 28, 1972	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
21	Fire Permit Districts	April 15, 1980	January 26, 1982, 47 FR 3549.	Submitted on November 3, 1980. See 40 CFR 52.220(c)(96)(iii)(A).
21.1	No title [no agricultural burning permit issued without District input].	April 15, 1980	January 26, 1982, 47 FR 3549.	Submitted on November 3, 1980. See 40 CFR 52.220(c)(96)(iii)(A).
22	Permit Form	April 15, 1980	January 26, 1982, 47 FR 3549.	Submitted on November 3, 1980. See 40 CFR 52.220(c)(96)(iii)(A).
23	No title [authority to cancel or alter agricultural burning permit conditions if necessary].	March 28, 1972	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
24	No title [no post-harvest waste agricultural burning].	August 31, 1974	May 11, 1977, 42 FR 23803; corrected on August 22, 1977, 42 FR 42219.	Submitted on January 10, 1975. See 40 CFR 52.220(c)(26)(iv)(A).
Article III—Construction Authorization and Registration				
50	Authorization to Construct	March 28, 1972	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
51	New Source Review (NSR)	March 16, 1993	November 4, 1996, 61 FR 56629.	Submitted on May 13, 1993. See 40 CFR 52.220(c)(193)(i)(D)(*1*).
51.1	Standards for Granting Applications	February 13, 1980	June 18, 1982, 47 FR 26379.	Adopted by CARB on February 13, 1980 through Executive Order G–103. Submitted on February 25, 1980. See 40 CFR 52.220(c)(54)(xi)(A).
51.2	Conditional Approval	February 13, 1980	June 18, 1982, 47 FR 26379.	Adopted by CARB on February 13, 1980 through Executive Order G–103. Submitted on February 25, 1980. See 40 CFR 52.220(c)(54)(xi)(A).
56	Operation	March 28, 1972	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
57	Public Information	August 31, 1974	May 11, 1977, 42 FR 23803; corrected on August 22, 1977, 42 FR 42219.	Submitted on January 10, 1975. See 40 CFR 52.220(c)(26)(iv)(A).
58	Exemptions	August 31, 1974	May 11, 1977, 42 FR 23803; corrected on August 22, 1977, 42 FR 42219.	Submitted on January 10, 1975. See 40 CFR 52.220(c)(26)(iv)(A).
Article IV—Prohibitions				
75	Prohibitions under State Law	April 15, 1980	January 26, 1982, 47 FR 3549.	Submitted on November 3, 1980. See 40 CFR 52.220(c)(96)(iii)(A).
76	Visible Emissions	March 28, 1972	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
77 (excluding paragraph (e)).	Exceptions	March 28, 1972	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6). Paragraph (e) was disapproved at 43 FR 41037 (September 14, 1978
80	Open Fires	March 28, 1972	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
81	Exceptions	April 15, 1980	January 26, 1982, 47 FR 3549.	Submitted on November 3, 1980. See 40 CFR 52.220(c)(96)(iii)(A).
82	Burning of Garbage	April 30, 1977	September 14, 1978, 43 FR 41036.	Submitted on November 4, 1977. See 40 CFR 52.220(c)(42)(viii)(A).
83	Petroleum Storage and Dispensing	April 15, 1980	January 26, 1982, 47 FR 3549.	Submitted on November 3, 1980. See 40 CFR 52.220(c)(96)(iii)(A).
83.1	Service Stations and Bulk Storage Plants.	April 15, 1980	January 26, 1982, 47 FR 3549.	Submitted on November 3, 1980. See 40 CFR 52.220(c)(96)(iii)(A).
83.2	Petroleum Solvents	April 15, 1980	January 26, 1982, 47 FR 3549.	Submitted on November 3, 1980. See 40 CFR 52.220(c)(96)(iii)(A).

TABLE 13—EPA-APPROVED GLENN COUNTY AIR POLLUTION CONTROL DISTRICT REGULATIONS—Continued

District citation	Title/subject	State effective date	EPA approval date	Additional explanation
84	Exception	March 28, 1972	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
85	Particulate Matter Concentration	August 31, 1974	May 11, 1977, 42 FR 23803; corrected on August 22, 1977, 42 FR 42219.	Submitted on January 10, 1975. See 40 CFR 52.220(c)(26)(iv)(A).
86	Dust and Fumes Total Emissions	August 31, 1974	May 11, 1977, 42 FR 23803; corrected on August 22, 1977, 42 FR 42219.	Submitted on January 10, 1975. See 40 CFR 52.220(c)(26)(iv)(A).
87	Reduction of Animal Matter	March 28, 1972	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
88	Exceptions	March 28, 1972	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
89	Sulfur Oxides	March 28, 1972	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
90	Reduced Sulfur Emissions Standards	March 28, 1972	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
91	Incinerator Burning	March 28, 1972	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
93	Circumvention	March 28, 1972	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
94	Separation of Emissions	March 28, 1972	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
94.1	Combination of Emissions	May 30, 1972	September 22, 1972, 37 FR 19812.	CARB added this section to the Glenn County air pollution rulebook per Resolution 72–59. Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
95	Analysis Required	March 28, 1972	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
95.1	No title [records requirement for certain sources].	August 31, 1974	May 11, 1977, 42 FR 23803; corrected on August 22, 1977, 42 FR 42219.	Submitted on January 10, 1975. See 40 CFR 52.220(c)(26)(iv)(A).

TABLE 14—EPA-APPROVED GREAT BASIN UNIFIED AIR POLLUTION CONTROL DISTRICT REGULATIONS

District citation	Title/subject	State effective date	EPA approval date	Additional explanation
Regulation I—General Provisions				
100	Title	March 11, 1976	June 6, 1977, 42 FR 28883.	Submitted on April 21, 1976. See 40 CFR 52.220(c)(31)(i)(B).
101	Definitions	September 24, 2003	November 19, 2004, 69 FR 67645.	Submitted on November 4, 2003. See 40 CFR 52.220(c)(321)(i)(C)(*1*).
102	Standard Conditions	March 11, 1976	June 6, 1977, 42 FR 28883.	Submitted on April 21, 1976. See 40 CFR 52.220(c)(31)(i)(B).
103	Effective Date	March 11, 1976	June 6, 1977, 42 FR 28883.	Submitted on April 21, 1976. See 40 CFR 52.220(c)(31)(i)(B).
104	Amendment Procedures	March 11, 1976	June 6, 1977, 42 FR 28883.	Submitted on April 21, 1976. See 40 CFR 52.220(c)(31)(i)(B).
106	Increments of Progress	March 11, 1976	June 6, 1977, 42 FR 28883.	Submitted on April 21, 1976. See 40 CFR 52.220(c)(31)(i)(B).
Regulation II—Permits				
200	Permits Required	March 11, 1976	December 8, 1976, 41 FR 53661.	Submitted on April 21, 1976. See 40 CFR 52.220(c)(31)(i)(A).
201	Exemptions	January 23, 2006	December 5, 2008, 73 FR 74029.	Submitted on June 16, 2006. See 40 CFR 52.220(c)(345)(i)(D)(*1*).
202	Transfer	March 11, 1976	December 8, 1976, 41 FR 53661.	Submitted on April 21, 1976. See 40 CFR 52.220(c)(31)(i)(A).
204	Cancellation of Applications	March 11, 1976	December 8, 1976, 41 FR 53661.	Submitted on April 21, 1976. See 40 CFR 52.220(c)(31)(i)(A).
205	Action on Applications	August 20, 1979	January 27, 1981, 46 FR 8471.	Submitted on December 17, 1979. See 40 CFR 52.220(c)(58)(iii)(A).
209–A	Standards for Authorities to Construct	June 25, 1979	June 18, 1982, 47 FR 26379.	Submitted on December 17, 1979. See 40 CFR 52.220(c)(58)(iii)(B).

TABLE 14—EPA-APPROVED GREAT BASIN UNIFIED AIR POLLUTION CONTROL DISTRICT REGULATIONS—Continued

District citation	Title/subject	State effective date	EPA approval date	Additional explanation
209–B	Standards for Permits to Operate	June 25, 1979	June 18, 1982, 47 FR 26379.	Submitted on December 17, 1979. See 40 CFR 52.220(c)(58)(iii)(B).
210	Conditional Approval	June 25, 1979	January 27, 1981, 46 FR 8471.	Submitted on December 17, 1979. See 40 CFR 52.220(c)(58)(iii)(A).
213	Implementation Plans	June 25, 1979	June 18, 1982, 47 FR 26379.	Submitted on December 17, 1979. See 40 CFR 52.220(c)(58)(iii)(B).
213	Applications Deemed Denied	March 11, 1976	December 8, 1976, 41 FR 53661.	Submitted on April 21, 1976. See 40 CFR 52.220(c)(31)(i)(A).
215	Public Availability of Emission Data	March 11, 1976	June 6, 1977, 42 FR 28883.	Submitted on April 21, 1976. See 40 CFR 52.220(c)(31)(i)(B).
216	New Source Review Requirements for Determining Impact on Air Quality.	March 11, 1976	December 8, 1976, 41 FR 53661.	Submitted on April 21, 1976. See 40 CFR 52.220(c)(31)(i)(A).
218	Limiting Potential to Emit	December 4, 1995	August 11, 2003, 68 FR 47482.	Submitted on May 10, 1996. See 40 CFR 52.220(c)(231)(i)(E)(*1*).
219	Request for Synthetic Minor Status	December 4, 1995	August 11, 2003, 68 FR 47482.	Submitted on May 10, 1996. See 40 CFR 52.220(c)(231)(i)(E)(*1*).
221 (except for the incorporation by reference of 40 CFR 52.21(b)(49)(v) into sections C. and D3).	Prevention of Significant Deterioration (PSD) Permit Requirements for New Major Facilities or Major Modifications in Attainment or Unclassifiable Areas.	September 5, 2012	November 12, 2015, 80 FR 69880.	Submitted on February 6, 2013. See 40 CFR 52.220(c)(428)(i)(E)(*1*). EPA also approved as part of the SIP letters dated November 13, 2014 from Theodore D. Schade, Great Basin Unified Air Pollution Control District, and April 15, 2015 from Phillip L. Kiddoo, Great Basin Unified Air Pollution Control District, to Gerardo Rios, EPA Region 9, regarding clarifications of District Rule 221 and 40 CFR 51.166. See 40 CFR 52.220(c)(428)(ii)(A)(*1*) and (*2*).
222	New Source Review Requirements for New and Modified Major Sources in Nonattainment Areas.	January 6, 2022	December 21, 2023, 88 FR 88255.	Submitted on July 5, 2022. See 40 CFR 52.220(c)(607)(i)(A)(*1*).
	Regulation IV—Prohibitions			
400	Ringlemann Chart	March 11, 1976	June 6, 1977, 42 FR 28883.	Submitted on April 21, 1976. See 40 CFR 52.220(c)(31)(i)(B).
401	Fugitive Dust	March 11, 1976	June 6, 1977, 42 FR 28883.	Submitted on April 21, 1976. See 40 CFR 52.220(c)(31)(i)(B).
403	Breakdown	June 25, 1979	January 27, 1981, 46 FR 8471.	Submitted on December 17, 1979. See 40 CFR 52.220(c)(58)(iii)(A).
404 (excluding paragraphs (A) and (B)).	Particulate Matter	March 11, 1976	June 6, 1977, 42 FR 28883.	Paragraphs (A) and (B) were superseded by approval of Rule 404–A. Paragraphs (C) and (D) relate to NOx concentration limits. Submitted on April 21, 1976. See 40 CFR 52.220(c)(31)(i)(B).
404–A	Particulate Matter	February 9, 1981	April 13, 1982, 47 FR 15784.	Submitted on May 28, 1981. See 40 CFR 52.220(c)(92)(iv)(A).
405	Exceptions	July 7, 2005	October 31, 2007, 72 FR 61525.	Submitted on October 20, 2005. See 40 CFR 52.220(c)(342)(i)(D)(*1*).
406	Open Outdoor Fires	September 24, 2003	February 22, 2005, 70 FR 8516.	Submitted on November 4, 2003. See 40 CFR 52.220(c)(321)(i)(C)(*2*).
407	Incinerator and Burn Barrel Burning	September 24, 2003	February 22, 2005, 70 FR 8516.	Submitted on November 4, 2003. See 40 CFR 52.220(c)(321)(i)(C)(*3*).
408	Burning of Agricultural Wastes	June 25, 1979	January 27, 1981, 46 FR 8471.	Submitted on December 17, 1979. See 40 CFR 52.220(c)(58)(iii)(A).
409	Range Improvement Burning	March 11, 1976	June 6, 1977, 42 FR 28883.	Submitted on April 21, 1976. See 40 CFR 52.220(c)(31)(i)(B).
410	Forest Management Burning	March 11, 1976	June 6, 1977, 42 FR 28883.	Submitted on April 21, 1976. See 40 CFR 52.220(c)(31)(i)(B).
412	Operation of Roofing Kettles	March 11, 1976	June 6, 1977, 42 FR 28883.	Submitted on April 21, 1976. See 40 CFR 52.220(c)(31)(i)(B).
413	Reduction of Animal Matter	March 11, 1976	June 6, 1977, 42 FR 28883.	Submitted on April 21, 1976. See 40 CFR 52.220(c)(31)(i)(B).
416	Sulfur Compounds and Nitrogen Oxides.	March 11, 1976	June 6, 1977, 42 FR 28883.	Submitted on April 21, 1976. See 40 CFR 52.220(c)(31)(i)(B).
417	Organic Solvents	March 11, 1976	June 6, 1977, 42 FR 28883.	Submitted on April 21, 1976. See 40 CFR 52.220(c)(31)(i)(B).
418	Storage of Petroleum Products	March 11, 1976	June 6, 1977, 42 FR 28883.	Submitted on April 21, 1976. See 40 CFR 52.220(c)(31)(i)(B).
419	Gasoline Loading into Stationary Tanks.	June 25, 1979	January 27, 1981, 46 FR 8471.	Submitted on December 17, 1979. See 40 CFR 52.220(c)(58)(iii)(A).
420	Organic Liquid Loading	March 11, 1976	June 6, 1977, 42 FR 28883.	Submitted on April 21, 1976. See 40 CFR 52.220(c)(31)(i)(B).
421	Intended Application of Rules and Regulations.	March 11, 1976	June 6, 1977, 42 FR 28883.	Submitted on April 21, 1976. See 40 CFR 52.220(c)(31)(i)(B).
423	Research Operations	February 9, 1981	April 13, 1982, 47 FR 15784.	Submitted on May 28, 1981. See 40 CFR 52.220(c)(92)(iv)(A).
424	Geothermal Emissions Standards	February 9, 1981	April 13, 1982, 47 FR 15784.	Submitted on May 28, 1981. See 40 CFR 52.220(c)(92)(iv)(A).
431 (excluding paragraphs (M) and (N)).	Particulate Emissions	May 5, 2014	June 30, 2017, 82 FR 29762.	Submitted on November 6, 2014. See 40 CFR 52.220(c)(457)(i)(I)(*1*).
432	Open Burn/Open Detonation Operations on Military Bases.	May 8, 1996	June 10, 2002, 67 FR 39616.	Submitted on March 10, 1998. See 40 CFR 52.220(c)(254)(i)(L)(*1*).

TABLE 14—EPA-APPROVED GREAT BASIN UNIFIED AIR POLLUTION CONTROL DISTRICT REGULATIONS—Continued

District citation	Title/subject	State effective date	EPA approval date	Additional explanation
433	Control of Particulate Emissions at Owens Lake.	April 13, 2016	December 28, 2016, 81 FR 95473.	Submitted on June 9, 2016. See 40 CFR 52.220(c)(483)(i)(A)(*1*).
Regulation V—Agricultural Operations				
500	Definition	March 11, 1976	June 6, 1977, 42 FR 28883.	Submitted on April 21, 1976. See 40 CFR 52.220(c)(31)(i)(B).
501	Orchard and Citrus Heaters	March 11, 1976	June 6, 1977, 42 FR 28883.	Submitted on April 21, 1976. See 40 CFR 52.220(c)(31)(i)(B).
502	Conservation Management Practices	July 7, 2005	June 16, 2014, 79 FR 34240.	Submitted on October 20, 2005. See 40 CFR 52.220(c)(342)(i)(D)(*2*).
Regulation VII—Emergencies				
701	Air Pollution Episode Plan for Particulate Matter.	March 3, 2014	April 1, 2016, 81 FR 18766.	Submitted on June 2, 2014. See 40 CFR 52.220(c)(469)(i)(A)(*1*).
Regulation XIII—Conformity of General Federal Actions to State Implementation Plans				
1301	Purpose	October 5, 1994	April 23, 1999, 64 FR 19916.	Submitted on November 30, 1994. See 40 CFR 52.220(c)(207)(i)(F)(*1*).
1302	Definitions	October 5, 1994	April 23, 1999, 64 FR 19916.	Submitted on November 30, 1994. See 40 CFR 52.220(c)(207)(i)(F)(*1*).
1303	Applicability	October 5, 1994	April 23, 1999, 64 FR 19916.	Submitted on November 30, 1994. See 40 CFR 52.220(c)(207)(i)(F)(*1*).
1304	Conformity analysis	October 5, 1994	April 23, 1999, 64 FR 19916.	Submitted on November 30, 1994. See 40 CFR 52.220(c)(207)(i)(F)(*1*).
1305	Reporting requirements	October 5, 1994	April 23, 1999, 64 FR 19916.	Submitted on November 30, 1994. See 40 CFR 52.220(c)(207)(i)(F)(*1*).
1306	Public participation and consultation	October 5, 1994	April 23, 1999, 64 FR 19916.	Submitted on November 30, 1994. See 40 CFR 52.220(c)(207)(i)(F)(*1*).
1307	Frequency of conformity determinations.	October 5, 1994	April 23, 1999, 64 FR 19916.	Submitted on November 30, 1994. See 40 CFR 52.220(c)(207)(i)(F)(*1*).
1308	Criteria for determining conformity of general Federal actions.	October 5, 1994	April 23, 1999, 64 FR 19916.	Submitted on November 30, 1994. See 40 CFR 52.220(c)(207)(i)(F)(*1*).
1309	Procedures for conformity determinations of general Federal actions.	October 5, 1994	April 23, 1999, 64 FR 19916.	Submitted on November 30, 1994. See 40 CFR 52.220(c)(207)(i)(F)(*1*).
1310	Mitigation of air quality impacts	October 5, 1994	April 23, 1999, 64 FR 19916.	Submitted on November 30, 1994. See 40 CFR 52.220(c)(207)(i)(F)(*1*).
1311	Savings provisions	October 5, 1994	April 23, 1999, 64 FR 19916.	Submitted on November 30, 1994. See 40 CFR 52.220(c)(207)(i)(F)(*1*).
Orders Issued by the Governing Board of the Great Basin Unified Air Pollution Control District				
Board Order #080128–01	Requiring the City of Los Angeles to Undertake Measures to Control PM_{10} Emissions from the Dried Bed of Owens Lake.	February 1, 2008	September 3, 2010, 75 FR 54031.	Includes Attachments A–D. Included as Appendix C to the ''2010 PM_{10} Maintenance Plan and Redesignation Request for the Coso Junction Planning Area.'' Submitted on July 14, 2010. See 40 CFR 52.220(c)(380)(i)(A)(*1*).

TABLE 15—EPA-APPROVED IMPERIAL COUNTY AIR POLLUTION CONTROL DISTRICT REGULATIONS

District citation	Title/subject	State effective date	EPA approval date	Additional explanation
Regulation I—General Provisions				
100	Rule Citation	September 14, 1999	October 10, 2001, 66 FR 51578.	Submitted on May 26, 2000. See 40 CFR 52.220(c)(279)(i)(A)(*6*).
101	Definitions	September 11, 2018	August 29, 2019, 84 FR 45418.	Submitted on October 29, 2018. See 40 CFR 52.220(c)(523)(i)(A)(*1*).
102	Public Records	November 19, 1985	February 3, 1989, 54 FR 5448.	Submitted on June 9, 1987. See 40 CFR 52.220(c)(173)(i)(B)(*1*).
103	Inspection of Public Records	June 1, 1977	August 11, 1978, 43 FR 35694.	Submitted on November 4, 1977. See 40 CFR 52.220(c)(42)(i)(A).
107	Conditional Approval	October 18, 1971	May 31, 1972, 37 FR 10842.	Submitted on February 21, 1972. See 40 CFR 52.220(b).
107	Land Use	June 1, 1977	August 11, 1978, 43 FR 35694.	Submitted on November 4, 1977. See 40 CFR 52.220(c)(42)(i)(A).
109	Source Sampling	September 14, 1999	August 10, 2001, 66 FR 42126.	Submitted on May 26, 2000. See 40 CFR 52.220(c)(279)(i)(A)(*4*).
110	Stack Monitoring	September 14, 1999	August 10, 2001, 66 FR 42126.	Submitted on May 26, 2000. See 40 CFR 52.220(c)(279)(i)(A)(*4*).
112	Annual Renewal	October 18, 1971	May 31, 1972, 37 FR 10842.	Submitted on February 21, 1972. See 40 CFR 52.220(b).
113	Circumvention	September 14, 1999	October 10, 2001, 66 FR 51578.	Submitted on May 26, 2000. See 40 CFR 52.220(c)(279)(i)(A)(*6*).
114	Severability Clause	June 1, 1977	August 11, 1978, 43 FR 35694.	Submitted on November 4, 1977. See 40 CFR 52.220(c)(42)(i)(A).
115	Legal Application and Incorporation of Other Regulations.	September 14, 1999	March 21, 2003, 68 FR 13843.	Submitted on May 26, 2000. See 40 CFR 52.220(c)(279)(i)(A)(*10*).

TABLE 15—EPA-APPROVED IMPERIAL COUNTY AIR POLLUTION CONTROL DISTRICT REGULATIONS—Continued

District citation	Title/subject	State effective date	EPA approval date	Additional explanation
116	Emissions Statement and Certification	November 3, 2020	July 29, 2022, 87 FR 45657.	Submitted on February 19, 2021 as an attachment to a letter dated February 18, 2021. See 40 CFR 52.220(c)(562)(i)(A)(*2*) and 40 CFR 52.220(c)(583)(i)(A)(*1*).
Regulation II—Permits				
201	Permits Required	October 10, 2006	May 9, 2011, 76 FR 26615.	Submitted on August 24, 2007. See 40 CFR 52.220(c)(351)(i)(A)(*3*).
202	Exemptions	February 9, 2016	June 8, 2017, 82 FR 26594.	Submitted on April 21, 2016. See 40 CFR 52.220(c)(485)(i)(A)(*2*).
203	Transfer	September 14, 1999	January 3, 2007, 72 FR 9.	Submitted on May 26, 2000. See 40 CFR 52.220(c)(279)(i)(A)(*14*).
204	Applications	September 14, 1999	June 14, 2017, 82 FR 27125.	Submitted on May 26, 2000. See 40 CFR 52.220(c)(279)(i)(A)(*15*).
204	Enforcement Procedures	September 1, 1972	May 11, 1977, 42 FR 23804; corrected on August 22, 1977, 42 FR 42219.	Submitted on July 25, 1973. See 40 CFR 52.220(c)(21)(xi)(A).
205	Cancellation of Applications	September 14, 1999	January 3, 2007, 72 FR 9.	Submitted on May 26, 2000. See 40 CFR 52.220(c)(279)(i)(A)(*14*).
205	Burning Permit	September 1, 1972	May 11, 1977, 42 FR 23804; corrected on August 22, 1977, 42 FR 42219.	Submitted on July 25, 1973. See 40 CFR 52.220(c)(21)(xi)(A).
206	Processing of Applications	October 22, 2013	June 14, 2017, 82 FR 27125; corrected on September 5, 2017, 82 FR 41895.	Submitted on February 10, 2014. See 40 CFR 52.220(c)(442)(i)(A)(*5*).
207 (except subsections C.1.c, C.2.a, C.2.b, D.1.g, and D.3.b).	New and Modified Stationary Source Review.	September 11, 2018	August 26, 2019, 84 FR 44545.	Submitted on October 5, 2018. See 40 CFR 52.220(c)(522)(i)(A)(*1*).
208	Permit to Operate	September 14, 1999	January 3, 2007, 72 FR 9.	Submitted on May 26, 2000. See 40 CFR 52.220(c)(279)(i)(A)(*13*).
217	Large Confined Animal Facilities (LCAF) Permit Required.	February 9, 2016	June 8, 2017, 82 FR 26594.	Submitted on April 21, 2016. See 40 CFR 52.220(c)(485)(i)(A)(*3*).
Regulation IV—Prohibitions				
400	Fuel Burning Equipment—Oxides of Nitrogen.	September 14, 1999	March 24, 2003, 68 FR 14161.	Submitted on May 26, 2000. See 40 CFR 52.220(c)(279)(i)(A)(*11*).
400.1	Stationary Gas Turbines—Reasonably Available Control Technology (RACT).	February 23, 2010	January 18, 2012, 77 FR 2469.	Submitted on July 20, 2010. See 40 CFR 52.220(c)(381)(i)(A)(*5*).
400.2	Boilers, Process Heaters and Steam Generators.	February 23, 2010	January 7, 2013, 78 FR 896.	Submitted on July 20, 2010. See 40 CFR 52.220(c)(381)(i)(A)(*7*).
400.3	Internal Combustion Engines	October 22, 2013	October 6, 2014, 79 FR 60070.	Submitted on February 10, 2014. See 40 CFR 52.220(c)(442)(i)(A)(*2*).
400.4	Emissions of Oxides of Nitrogen from Wallboard Kilns.	October 22, 2013	October 6, 2014, 79 FR 60070.	Submitted on February 10, 2014. See 40 CFR 52.220(c)(442)(i)(A)(*3*).
400.6	Natural Gas Fired Water Heaters	November 26, 2019	May 7, 2021, 86 FR 24500.	Submitted on February 6, 2020. See 40 CFR 52.220(c)(546)(i)(B)(*1*).
401	Opacity of Emissions	November 19, 1985	February 3, 1989, 54 FR 5448.	Submitted on June 9, 1987. See 40 CFR 52.220(c)(173)(i)(B)(*1*).
402	Exceptions	November 19, 1985	February 3, 1989, 54 FR 5448.	Submitted on June 9, 1987. See 40 CFR 52.220(c)(173)(i)(B)(*1*).
403	General Limitations on the Discharge of Air Contaminants.	May 18, 2004	November 16, 2004, 69 FR 67058.	Submitted on July 19, 2004. See 40 CFR 52.220(c)(332)(i)(A)(*1*).
405	Sulfur Compounds Emissions Standards, Limitations and Prohibitions.	May 18, 2004	November 16, 2004, 69 FR 67058.	Submitted on July 19, 2004. See 40 CFR 52.220(c)(332)(i)(A)(*1*).
408	Frost Protection	September 14, 1999	July 11, 2001, 66 FR 36170.	Submitted on May 26, 2000. See 40 CFR 52.220(c)(279)(i)(A)(*2*).
409	Incinerators	September 14, 1999	July 11, 2001, 66 FR 36170.	Submitted on May 26, 2000. See 40 CFR 52.220(c)(279)(i)(A)(*2*).
410	Scavenger Plants	February 27, 1979	January 27, 1981, 46 FR 8471.	Submitted on October 15, 1979. See 40 CFR 52.220(c)(52)(ii)(B).
412	Soil Decontamination Operations	January 16, 2001	November 5, 2002, 67 FR 67313.	Submitted on October 30, 2001. See 40 CFR 52.220(c)(288)(i)(D)(*1*).
413	Organic Solvent Degreasing Operations.	January 16, 2001	November 5, 2002, 67 FR 67313.	Submitted on October 30, 2001. See 40 CFR 52.220(c)(288)(i)(D)(*1*).
414	Storage of Reactive Organic Compound Liquids.	May 18, 2004	November 24, 2008, 73 FR 70883.	Submitted on July 19, 2004. See 40 CFR 52.220(c)(332)(i)(A)(*4*).
415	Transfer and Storage of Gasoline	November 3, 2020	September 2, 2021, 86 FR 49248.	Submitted on February 19, 2021 by the Governor's designee as an attachment to a letter dated February 18, 2021. See 40 CFR 52.220(c)(562)(i)(A)(*1*).
416	Oil-Effluent Water Separators	September 14, 1999	July 26, 2001, 66 FR 38939.	Submitted on May 26, 2000. See 40 CFR 52.220(c)(279)(i)(A)(*3*).

TABLE 15—EPA-APPROVED IMPERIAL COUNTY AIR POLLUTION CONTROL DISTRICT REGULATIONS—Continued

District citation	Title/subject	State effective date	EPA approval date	Additional explanation
417	Organic Solvents	September 14, 1999	November 5, 2002, 67 FR 67313.	Submitted on May 26, 2000. See 40 CFR 52.220(c)(279)(i)(A)(*8*).
418	Disposal and Evaporation of Solvents	February 27, 1979 ..	January 27, 1981, 46 FR 8471.	Submitted on October 15, 1979. See 40 CFR 52.220(c)(52)(ii)(B).
419	Reduction of Animal Matter	February 27, 1979 ..	January 27, 1981, 46 FR 8471.	Submitted on October 15, 1979. See 40 CFR 52.220(c)(52)(ii)(B).
420	Beef Feedlots	October 10, 2006 ...	November 10, 2010, 75 FR 69002.	Submitted on August 24, 2007. See 40 CFR 52.220(c)(351)(i)(A)(*2*).
421	Open Burning	September 14, 1999	July 11, 2001, 66 FR 36170.	Submitted on May 26, 2000. See 40 CFR 52.220(c)(279)(i)(A)(*2*).
424	Architectural Coatings	February 23, 2010 ..	July 6, 2011, 76 FR 39303.	Submitted on July 20, 2010. See 40 CFR 52.220(c)(381)(i)(A)(*2*).
425	Aerospace Coating Operations	February 23, 2010 ..	November 1, 2011, 76 FR 67369.	Submitted on July 20, 2010. See 40 CFR 52.220(c)(381)(i)(A)(*3*).
426	Cutback Asphalt and Emulsified Paving Materials.	September 14, 1999	April 19, 2001, 66 FR 20084.	Submitted on May 26, 2000. See 40 CFR 52.220(c)(279)(i)(A)(*1*).
427	Automotive Refinishing Operations	February 23, 2010 ..	November 1, 2011, 76 FR 67369.	Submitted on July 20, 2010. See 40 CFR 52.220(c)(381)(i)(A)(*4*).
428 (except section E.4.2)	Wood Burning Appliances	September 11, 2018	August 29, 2019, 84 FR 45418.	Submitted on October 29, 2018. See 40 CFR 52.220(c)(523)(i)(A)(*2*).
429	Mandatory Episodic Curtailment of Wood and Other Solid Fuel Burning.	September 11, 2018	August 29, 2019, 84 FR 45418.	Submitted on October 29, 2018. See 40 CFR 52.220(c)(523)(i)(A)(*3*).
Regulation VI—Emergency Regulations				
601	General	June 1, 1977	June 3, 1980, 45 FR 37428.	Submitted on November 4, 1977. See 40 CFR 52.220(c)(42)(i)(C).
602 (excluding those portions that pertain to the criteria levels for carbon monoxide and sulfur dioxide).	Episode Criteria Levels	June 1, 1977	June 3, 1980, 45 FR 37428.	Submitted on November 4, 1977. See 40 CFR 52.220(c)(42)(i)(C). Supplemented by the provisions in 40 CFR 52.274(p).
603	Episode Stages	June 1, 1977	June 3, 1980, 45 FR 37428.	Submitted on November 4, 1977. See 40 CFR 52.220(c)(42)(i)(C).
604	Division of Responsibility for Abatement Action.	June 1, 1977	June 3, 1980, 45 FR 37428.	Submitted on November 4, 1977. See 40 CFR 52.220(c)(42)(i)(C).
605	Administration of Emergency Program	June 1, 1977	June 3, 1980, 45 FR 37428.	Submitted on November 4, 1977. See 40 CFR 52.220(c)(42)(i)(C).
606	Advisory of High Air Pollution Potential.	June 1, 1977	June 3, 1980, 45 FR 37428.	Submitted on November 4, 1977. See 40 CFR 52.220(c)(42)(i)(C).
607	Declaration of Episode	June 1, 1977	June 3, 1980, 45 FR 37428.	Submitted on November 4, 1977. See 40 CFR 52.220(c)(42)(i)(C).
608	Episode Action Stage 1 (Health Advisory—Alert).	June 1, 1977	June 3, 1980, 45 FR 37428.	Submitted on November 4, 1977. See 40 CFR 52.220(c)(42)(i)(C).
609	Episode Action Stage 2 (Warning)	June 1, 1977	June 3, 1980, 45 FR 37428.	Submitted on November 4, 1977. See 40 CFR 52.220(c)(42)(i)(C).
610	Episode Action Stage 3 (Emergency)	June 1, 1977	June 3, 1980, 45 FR 37428.	Submitted on November 4, 1977. See 40 CFR 52.220(c)(42)(i)(C).
611	Episode Termination	June 1, 1977	June 3, 1980, 45 FR 37428.	Submitted on November 4, 1977. See 40 CFR 52.220(c)(42)(i)(C).
612	Stationary Source Curtailment	June 1, 1977	June 3, 1980, 45 FR 37428.	Submitted on November 4, 1977. See 40 CFR 52.220(c)(42)(i)(C). Supplemented by the provisions in 40 CFR 52.274(p).
613	Episode Abatement Plan	June 1, 1977	June 3, 1980, 45 FR 37428.	Submitted on November 4, 1977. See 40 CFR 52.220(c)(42)(i)(C).
614	Enforcement	June 1, 1977	June 3, 1980, 45 FR 37428.	Submitted on November 4, 1977. See 40 CFR 52.220(c)(42)(i)(C).
Regulation VII—Agricultural Burning				
701	Agricultural Burning	August 13, 2002	January 31, 2003, 68 FR 4929.	Submitted on October 16, 2002. See 40 CFR 52.220(c)(302)(i)(A)(*1*).
702	Range Improvement Burning	September 14, 1999	July 11, 2001, 66 FR 36170.	Submitted on May 26, 2000. See 40 CFR 52.220(c)(279)(i)(A)(*2*).
Regulation VIII—Fugitive Dust Rules				
800	General Requirements for Control of Fine Particulate Matter (PM–10).	October 16, 2012 ...	April 22, 2013, 78 FR 23677.	Submitted on November 7, 2012. See 40 CFR 52.220(c)(424)(i)(A)(*1*).
801	Construction and Earthmoving Activities.	November 8, 2005	July 8, 2010, 75 FR 39366.	Submitted on June 16, 2006. See 40 CFR 52.220(c)(345)(i)(E)(*2*).
802	Bulk Materials	November 8, 2005	July 8, 2010, 75 FR 39366.	Submitted on June 16, 2006. See 40 CFR 52.220(c)(345)(i)(E)(*2*).
803	Carry-Out and Track-Out	November 8, 2005	July 8, 2010, 75 FR 39366.	Submitted on June 16, 2006. See 40 CFR 52.220(c)(345)(i)(E)(*2*).
804	Open Areas	September 11, 2018	August 29, 2019, 84 FR 45418.	Submitted on October 29, 2018. See 40 CFR 52.220(c)(523)(i)(A)(*4*).
805	Paved and Unpaved Roads	October 16, 2012 ...	April 22, 2013, 78 FR 23677.	Submitted on November 7, 2012. See 40 CFR 52.220(c)(424)(i)(A)(*3*).
806	Conservation Management Practices	October 16, 2012 ...	April 22, 2013, 78 FR 23677.	Submitted on November 7, 2012. See 40 CFR 52.220(c)(424)(i)(A)(*4*).

TABLE 15—EPA-APPROVED IMPERIAL COUNTY AIR POLLUTION CONTROL DISTRICT REGULATIONS—Continued

District citation	Title/subject	State effective date	EPA approval date	Additional explanation
Regulation IX				
904	Prevention of Significant Deterioration (PSD) Permit Program.	December 20, 2011	December 10, 2012, 77 FR 73316.	Submitted on February 23, 2012. See 40 CFR 52.220(c)(411)(i)(E)(*1*). Final approval of this rule is based, in part, on the clarifications contained in letters dated July 10, 2012 and August 21, 2012 from Brad Poirez, Imperial County APCD, to Gerardo Rios, EPA Region 9. See 40 CFR 52.220(c)(411)(ii)(A)(*1*) and (*2*).
910	Enhanced Monitoring	March 21, 1995	August 28, 2014, 79 FR 51261.	Submitted on June 16, 1995. See 40 CFR 52.220(c)(222)(i)(F)(*1*).
925	General Conformity	November 29, 1994	April 23, 1999, 64 FR 19916.	Submitted on February 24, 1995. See 40 CFR 52.220(c)(215)(i)(E)(*1*).

TABLE 16—EPA-APPROVED LAKE COUNTY AIR QUALITY MANAGEMENT DISTRICT REGULATIONS

District citation	Title/subject	State effective date	EPA approval date	Additional explanation
Original Codification of District Rules and Regulations				
Part II—Authorization and Disclosure				
A	Authority	August 5, 1974	August 22, 1977, 42 FR 42219.	Rescission of Part II was disapproved at 43 FR 34463 (August 4, 1978). Submitted on October 23, 1974. See 40 CFR 52.220(c)(25)(iii)(A).
B	Emissions and Monitoring Data as Public Record.	August 5, 1974	August 22, 1977, 42 FR 42219.	Rescission of Part II was disapproved at 43 FR 34463 (August 4, 1978). Submitted on October 23, 1974. See 40 CFR 52.220(c)(25)(iii)(A).
C	Disclosure Policy	August 5, 1974	August 22, 1977, 42 FR 42219.	Rescission of Part II was disapproved at 43 FR 34463 (August 4, 1978). Submitted on October 23, 1974. See 40 CFR 52.220(c)(25)(iii)(A).
D	Disclosure Procedure	August 5, 1974	August 22, 1977, 42 FR 42219.	Rescission of Part II was disapproved at 43 FR 34463 (August 4, 1978). Submitted on October 23, 1974. See 40 CFR 52.220(c)(25)(iii)(A).
Part III—Definitions				
6	Alteration	August 5, 1974	August 22, 1977, 42 FR 42219.	Submitted on October 23, 1974. See 40 CFR 52.220(c)(25)(iii)(A).
24	Equivalent Method	August 5, 1974	August 22, 1977, 42 FR 42219.	Submitted on October 23, 1974. See 40 CFR 52.220(c)(25)(iii)(A).
49a	Public Records	August 5, 1974	August 22, 1977, 42 FR 42219.	Rescission of section 49a was disapproved at 43 FR 34463 (August 4, 1978). Submitted on October 23, 1974. See 40 CFR 52.220(c)(25)(iii)(A).
49b	Record	August 5, 1974	August 22, 1977, 42 FR 42219.	Rescission of section 49b was disapproved at 43 FR 34463 (August 4, 1978). Submitted on October 23, 1974. See 40 CFR 52.220(c)(25)(iii)(A).
50	Process Weight Per Hour	August 5, 1974	August 22, 1977, 42 FR 42219.	Rescission of section 50 was disapproved at 43 FR 34463 (August 4, 1978). Submitted on October 23, 1974. See 40 CFR 52.220(c)(25)(iii)(A).
Part V—Prohibitions and Standards				
1.B	Visible Emissions	August 5, 1974	August 22, 1977, 42 FR 42219.	Paragraph B sets a visible emissions standard for any new source. The rescission of paragraph B of section 1 of part V was disapproved at 43 FR 34463 (August 4, 1978). Submitted on October 23, 1974. See 40 CFR 52.220(c)(25)(iii)(A).
3.F	Other Emissions or Contaminants	August 5, 1974	August 22, 1977, 42 FR 42219.	Paragraph F (Sulfur) sets a sulfur concentration standard from any single source. Paragraph F was superseded by approval of Section 412 (Sulfur Recovery Units) at 43 FR 34463 (August 4, 1978) with respect to sulfur recovery units but retained for other sulfur sources—see 40 CFR 52.231(b)(1)(i)(A). Submitted on October 23, 1974. See 40 CFR 52.220(c)(25)(iii)(A).
Part VII—Permits				
1	Registration	June 30, 1972	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
2	Construction, Alteration, Replacement, Sale or Rental.	June 30, 1972	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
3	Notice of Completion	June 30, 1972	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).

TABLE 16—EPA-APPROVED LAKE COUNTY AIR QUALITY MANAGEMENT DISTRICT REGULATIONS—Continued

District citation	Title/subject	State effective date	EPA approval date	Additional explanation
4	Operation	June 30, 1972	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
5	Approval	June 30, 1972	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
6	Posting of Permits	June 30, 1972	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
8	Conditional Permits	June 30, 1972	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
9	Use Permits	June 30, 1972	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
10	Action on Applications	June 30, 1972	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
12	Fees for Permits	June 30, 1972	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
13	Source Emission Testing	June 30, 1972	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
14	Plans and Specifications	June 30, 1972	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
15	Suspension of Permit	June 30, 1972	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
16	Reinstatement of Permit	June 30, 1972	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
17	Denial of Applications	June 30, 1972	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
18	Schedule of Compliance	June 30, 1972	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
Part VIII—Emergency Conditions				
Part VIII	Emergency Conditions	June 30, 1972	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
Appendices				
Appendix A	Definitions	January 22, 1973	August 22, 1977, 42 FR 42219.	Appendix A includes both definitions and regulations governing agricultural burning. The regulations, and some of the definitions, have been superseded. Certain defined terms, including open burning in agricultural operations in the growing of crops or raising of fowls or animals, forest management burning, brush treated, timber operations, silviculture, designated agency, and approved ignition device have not been superseded and remain in the applicable SIP. Submitted on October 23, 1974. See 40 CFR 52.220(c)(25)(iii)(A).
Appendix B, Part II	Definitions	January 22, 1973	August 22, 1977, 42 FR 42219.	Certain defined terms, including open burning in agricultural operations, forest management burning, brush treated, timber operations, silviculture, and designated agency have not been superseded and remain in the applicable SIP. Submitted on October 23, 1974. See 40 CFR 52.220(c)(25)(iii)(A).
Appendix B, Part V (sections 1, 4, 5 and 6).	Burning Permits	January 22, 1973	August 22, 1977, 42 FR 42219.	Submitted on October 23, 1974. See 40 CFR 52.220(c)(25)(iii)(A).
Post—November 22, 1976 Recodification of District Rules and Regulations				
Chapter I—General Provisions				
100	Purpose	November 22, 1976	August 4, 1978, 43 FR 34463.	Submitted on February 10, 1977. See 40 CFR 52.220(c)(37)(iv)(B).
101	Validity	February 10, 1981	April 13, 1982, 47 FR 15784.	Submitted on March 30, 1981. See 40 CFR 52.220(c)(89)(vi)(A).
200	Incorporation of Health and Safety Code Definitions.	November 22, 1976	August 4, 1978, 43 FR 34463.	Submitted on February 10, 1977. See 40 CFR 52.220(c)(37)(iv)(B).

TABLE 16—EPA-APPROVED LAKE COUNTY AIR QUALITY MANAGEMENT DISTRICT REGULATIONS—Continued

District citation	Title/subject	State effective date	EPA approval date	Additional explanation
201	Definitions Set Forth in Chapter I	November 22, 1976	August 4, 1978, 43 FR 34463.	Submitted on February 10, 1977. See 40 CFR 52.220(c)(37)(iv)(B).
202	Agricultural Operations	November 22, 1976	August 4, 1978, 43 FR 34463.	Submitted on February 10, 1977. See 40 CFR 52.220(c)(37)(iv)(B).
203	Agricultural Burning	June 19, 2001	June 14, 2002, 67 FR 40867.	Submitted on October 30, 2001. See 40 CFR 52.220(c)(288)(i)(B)(*1*).
204	Air Contaminant or Air Pollution	November 22, 1976	August 4, 1978, 43 FR 34463.	Submitted on February 10, 1977. See 40 CFR 52.220(c)(37)(iv)(B).
204.5	Air Quality	June 19, 2001	June 14, 2002, 67 FR 40867.	Submitted on October 30, 2001. See 40 CFR 52.220(c)(288)(i)(B)(*1*).
205	Air Pollution Abatement Operations	November 22, 1976	August 4, 1978, 43 FR 34463.	Submitted on February 10, 1977. See 40 CFR 52.220(c)(37)(iv)(B).
205.1	Air Pollution Control Director	November 22, 1976	August 4, 1978, 43 FR 34463.	Submitted on February 10, 1977. See 40 CFR 52.220(c)(37)(iv)(B).
207	Ambient Air Quality Standards	November 22, 1976	August 4, 1978, 43 FR 34463.	Submitted on February 10, 1977. See 40 CFR 52.220(c)(37)(iv)(B).
208	Atmosphere	November 22, 1976	August 4, 1978, 43 FR 34463.	Submitted on February 10, 1977. See 40 CFR 52.220(c)(37)(iv)(B).
208.3	Burn Plan or Smoke Management Plan.	June 19, 2001	June 14, 2002, 67 FR 40867.	Submitted on October 30, 2001. See 40 CFR 52.220(c)(288)(i)(B)(*1*).
208.8	Burn Day or Permissive Burn Day	June 19, 2001	June 14, 2002, 67 FR 40867.	Submitted on October 30, 2001. See 40 CFR 52.220(c)(288)(i)(B)(*1*).
209	Carbon Monoxide	November 22, 1976	August 4, 1978, 43 FR 34463.	Submitted on February 10, 1977. See 40 CFR 52.220(c)(37)(iv)(B).
210	Collection Efficiency	November 22, 1976	August 4, 1978, 43 FR 34463.	Submitted on February 10, 1977. See 40 CFR 52.220(c)(37)(iv)(B).
211	Combustible or Flammable Solid Waste.	November 22, 1976	August 4, 1978, 43 FR 34463.	Submitted on February 10, 1977. See 40 CFR 52.220(c)(37)(iv)(B).
212	Combustible Refuse	November 22, 1976	August 4, 1978, 43 FR 34463.	Submitted on February 10, 1977. See 40 CFR 52.220(c)(37)(iv)(B).
213	Combustion Contaminants	November 22, 1976	August 4, 1978, 43 FR 34463.	Submitted on February 10, 1977. See 40 CFR 52.220(c)(37)(iv)(B).
214	Condensed Fumes	November 22, 1976	August 4, 1978, 43 FR 34463.	Submitted on February 10, 1977. See 40 CFR 52.220(c)(37)(iv)(B).
215	Continuous Flow Conveying Methods	November 22, 1976	August 4, 1978, 43 FR 34463.	Submitted on February 10, 1977. See 40 CFR 52.220(c)(37)(iv)(B).
216	Control Strategy	November 22, 1976	August 4, 1978, 43 FR 34463.	Submitted on February 10, 1977. See 40 CFR 52.220(c)(37)(iv)(B).
216.1	Determination of Compliance	April 28, 1981	April 13, 1982, 47 FR 15784.	Submitted on May 28, 1981. See 40 CFR 52.220(c)(92)(iii)(A).
217	District	November 22, 1976	August 4, 1978, 43 FR 34463.	Submitted on February 10, 1977. See 40 CFR 52.220(c)(37)(iv)(B).
218	District Board	November 22, 1976	August 4, 1978, 43 FR 34463.	Submitted on February 10, 1977. See 40 CFR 52.220(c)(37)(iv)(B).
219	Dust	November 22, 1976	August 4, 1978, 43 FR 34463.	Submitted on February 10, 1977. See 40 CFR 52.220(c)(37)(iv)(B).
220	Emission	November 22, 1976	August 4, 1978, 43 FR 34463.	Submitted on February 10, 1977. See 40 CFR 52.220(c)(37)(iv)(B).
221	Emission Data	November 22, 1976	August 4, 1978, 43 FR 34463.	Submitted on February 10, 1977. See 40 CFR 52.220(c)(37)(iv)(B).
222	Emission Point	November 22, 1976	August 4, 1978, 43 FR 34463.	Submitted on February 10, 1977. See 40 CFR 52.220(c)(37)(iv)(B).
223	Equipment	November 22, 1976	August 4, 1978, 43 FR 34463.	Submitted on February 10, 1977. See 40 CFR 52.220(c)(37)(iv)(B).
225	Excess Air	November 22, 1976	August 4, 1978, 43 FR 34463.	Submitted on February 10, 1977. See 40 CFR 52.220(c)(37)(iv)(B).
226	Existing Source or Equipment	November 22, 1976	August 4, 1978, 43 FR 34463.	Submitted on February 10, 1977. See 40 CFR 52.220(c)(37)(iv)(B).
226.4	Fire Protection Agency	June 19, 2001	June 14, 2002, 67 FR 40867.	Submitted on October 30, 2001. See 40 CFR 52.220(c)(288)(i)(B)(*1*).
226.5	Fire Season Burn Ban	October 1, 2002	April 30, 2003, 68 FR 23035.	Submitted on December 12, 2002. See 40 CFR 52.220(c)(308)(i)(B)(*1*).
227	Flue	November 22, 1976	August 4, 1978, 43 FR 34463.	Submitted on February 10, 1977. See 40 CFR 52.220(c)(37)(iv)(B).
227.1	Gross Megawatt Hour	January 9, 1979	January 27, 1981, 46 FR 8471.	Submitted on May 23, 1979. See 40 CFR 52.220(c)(51)(xi)(A).
227.4	Geothermal Exploratory Well	February 10, 1981	April 13, 1982, 47 FR 15784.	Submitted on March 30, 1981. See 40 CFR 52.220(c)(89)(vi)(A).
228	Hearing Board	November 22, 1976	August 4, 1978, 43 FR 34463.	Submitted on February 10, 1977. See 40 CFR 52.220(c)(37)(iv)(B).
228	Hazardous Air Pollutants (HAP)	June 23, 1998	October 6, 2014, 79 FR 60061.	Adopted by the district as Exhibit A to Resolution 98–195 on June 23, 1998. Submitted on December 23, 1998. See 40 CFR 52.220(c)(443)(i)(A)(*1*).
229	Hot Mix Asphalt Plant	November 22, 1976	August 4, 1978, 43 FR 34463.	Submitted on February 10, 1977. See 40 CFR 52.220(c)(37)(iv)(B).
230	Household Rubbish	November 22, 1976	August 4, 1978, 43 FR 34463.	Submitted on February 10, 1977. See 40 CFR 52.220(c)(37)(iv)(B).
231	Hydrogen Sulfide	November 22, 1976	August 4, 1978, 43 FR 34463.	Submitted on February 10, 1977. See 40 CFR 52.220(c)(37)(iv)(B).

TABLE 16—EPA-APPROVED LAKE COUNTY AIR QUALITY MANAGEMENT DISTRICT REGULATIONS—Continued

District citation	Title/subject	State effective date	EPA approval date	Additional explanation
232	Incineration	November 22, 1976	August 4, 1978, 43 FR 34463.	Submitted on February 10, 1977. See 40 CFR 52.220(c)(37)(iv)(B).
232.1	Incinerator	October 1, 2002	April 30, 2003, 68 FR 23035.	Submitted on December 12, 2002. See 40 CFR 52.220(c)(308)(i)(B)(*1*).
233	Industrial Area	November 22, 1976	August 4, 1978, 43 FR 34463.	Submitted on February 10, 1977. See 40 CFR 52.220(c)(37)(iv)(B).
234	Installation	November 22, 1976	August 4, 1978, 43 FR 34463.	Submitted on February 10, 1977. See 40 CFR 52.220(c)(37)(iv)(B).
236	Micrograms per Cubic Meter ($\mu g/m^3$)	November 22, 1976	August 4, 1978, 43 FR 34463.	Submitted on February 10, 1977. See 40 CFR 52.220(c)(37)(iv)(B).
238	Most Relevant Effects	November 22, 1976	August 4, 1978, 43 FR 34463.	Submitted on February 10, 1977. See 40 CFR 52.220(c)(37)(iv)(B).
238.5	Natural Vegetation	October 1, 2002	April 30, 2003, 68 FR 23035.	Submitted on December 12, 2002. See 40 CFR 52.220(c)(308)(i)(B)(*1*).
239	New Sources or Equipment	November 22, 1976	August 4, 1978, 43 FR 34463.	Submitted on February 10, 1977. See 40 CFR 52.220(c)(37)(iv)(B).
240	Nitrogen Dioxide	November 22, 1976	August 4, 1978, 43 FR 34463.	Submitted on February 10, 1977. See 40 CFR 52.220(c)(37)(iv)(B).
240.8	No Burn Day	June 19, 2001	June 14, 2002, 67 FR 40867.	Submitted on October 30, 2001. See 40 CFR 52.220(c)(288)(i)(B)(*1*).
241	Open Outdoor Fires	November 22, 1976	August 4, 1978, 43 FR 34463.	Submitted on February 10, 1977. See 40 CFR 52.220(c)(37)(iv)(B).
242	Operation	November 22, 1976	August 4, 1978, 43 FR 34463.	Submitted on February 10, 1977. See 40 CFR 52.220(c)(37)(iv)(B).
243	Operator	November 22, 1976	August 4, 1978, 43 FR 34463.	Submitted on February 10, 1977. See 40 CFR 52.220(c)(37)(iv)(B).
244	Owner	November 22, 1976	August 4, 1978, 43 FR 34463.	Submitted on February 10, 1977. See 40 CFR 52.220(c)(37)(iv)(B).
245	Oxidant	November 22, 1976	August 4, 1978, 43 FR 34463.	Submitted on February 10, 1977. See 40 CFR 52.220(c)(37)(iv)(B).
246	Particulate Matter	June 19, 2001	June 14, 2002, 67 FR 40867.	Submitted on October 30, 2001. See 40 CFR 52.220(c)(288)(i)(B)(*1*).
247	Parts per Million (PPM)	November 22, 1976	August 4, 1978, 43 FR 34463.	Submitted on February 10, 1977. See 40 CFR 52.220(c)(37)(iv)(B).
247.1	Permissive Burn Day	November 22, 1976	August 4, 1978, 43 FR 34463.	Submitted on February 10, 1977. See 40 CFR 52.220(c)(37)(iv)(B).
248	Person	November 22, 1976	August 4, 1978, 43 FR 34463.	Submitted on February 10, 1977. See 40 CFR 52.220(c)(37)(iv)(B).
248.3	Pre-Fire Fuel Treatment	June 19, 2001	June 14, 2002, 67 FR 40867.	Submitted on October 30, 2001. See 40 CFR 52.220(c)(288)(i)(B)(*1*).
248.5	Prescribed Burning	June 19, 2001	June 14, 2002, 67 FR 40867.	Submitted on October 30, 2001. See 40 CFR 52.220(c)(288)(i)(B)(*1*).
249	Prevailing Visibility	November 22, 1976	August 4, 1978, 43 FR 34463.	Submitted on February 10, 1977. See 40 CFR 52.220(c)(37)(iv)(B).
249.3	Processed or Treated Wood and Wood Products.	October 1, 2002	April 30, 2003, 68 FR 23035.	Submitted on December 12, 2002. See 40 CFR 52.220(c)(308)(i)(B)(*1*).
249.5	Range Improvement Burning	June 19, 2001	June 14, 2002, 67 FR 40867.	Submitted on October 30, 2001. See 40 CFR 52.220(c)(288)(i)(B)(*1*).
250	Refuse	November 22, 1976	August 4, 1978, 43 FR 34463.	Submitted on February 10, 1977. See 40 CFR 52.220(c)(37)(iv)(B).
250.5	Residential Waste Burning	October 1, 2002	April 30, 2003, 68 FR 23035.	Submitted on December 12, 2002. See 40 CFR 52.220(c)(308)(i)(B)(*1*).
251	Residential-Commercial Area	November 22, 1976	August 4, 1978, 43 FR 34463.	Submitted on February 10, 1977. See 40 CFR 52.220(c)(37)(iv)(B).
251.7	Smoke Sensitive Areas	June 19, 2001	June 14, 2002, 67 FR 40867.	Submitted on October 30, 2001. See 40 CFR 52.220(c)(288)(i)(B)(*1*).
252	Standard Conditions	November 22, 1976	August 4, 1978, 43 FR 34463.	Submitted on February 10, 1977. See 40 CFR 52.220(c)(37)(iv)(B).
253	Standard Cubic Foot of Gas	November 22, 1976	August 4, 1978, 43 FR 34463.	Submitted on February 10, 1977. See 40 CFR 52.220(c)(37)(iv)(B).
254	Stationary Source	November 22, 1976	August 4, 1978, 43 FR 34463.	Submitted on February 10, 1977. See 40 CFR 52.220(c)(37)(iv)(B).
254.1	Steam Transmission Lines	January 9, 1979	January 27, 1981, 46 FR 8471.	Submitted on May 23, 1979. See 40 CFR 52.220(c)(51)(xi)(A).
255	Sulfur Dioxide	November 22, 1976	August 4, 1978, 43 FR 34463.	Submitted on February 10, 1977. See 40 CFR 52.220(c)(37)(iv)(B).
256	Tepee or Wigwam Burner	November 22, 1976	August 4, 1978, 43 FR 34463.	Submitted on February 10, 1977. See 40 CFR 52.220(c)(37)(iv)(B).
257	Total Reduced Sulfides (TRS)	November 22, 1976	August 4, 1978, 43 FR 34463.	Submitted on February 10, 1977. See 40 CFR 52.220(c)(37)(iv)(B).
258	Tons	November 22, 1976	August 4, 1978, 43 FR 34463.	Submitted on February 10, 1977. See 40 CFR 52.220(c)(37)(iv)(B).
259	Underfire Air	November 22, 1976	August 4, 1978, 43 FR 34463.	Submitted on February 10, 1977. See 40 CFR 52.220(c)(37)(iv)(B).
260	Visibility Reducing Particles	November 22, 1976	August 4, 1978, 43 FR 34463.	Submitted on February 10, 1977. See 40 CFR 52.220(c)(37)(iv)(B).
270	Wildland Vegetation Management Burning.	June 19, 2001	June 14, 2002, 67 FR 40867.	Submitted on October 30, 2001. See 40 CFR 52.220(c)(288)(i)(B)(*1*).

TABLE 16—EPA-APPROVED LAKE COUNTY AIR QUALITY MANAGEMENT DISTRICT REGULATIONS—Continued

District citation	Title/subject	State effective date	EPA approval date	Additional explanation
Chapter II—Prohibitions and Standards				
400	Visible Emissions	November 22, 1976	August 4, 1978, 43 FR 34463.	Submitted on February 10, 1977. See 40 CFR 52.220(c)(37)(iv)(B).
401	Exception for Aerial Spraying Operations.	November 22, 1976	August 4, 1978, 43 FR 34463.	Submitted on February 10, 1977. See 40 CFR 52.220(c)(37)(iv)(B).
402 (excluding paragraph F).	Exclusions	November 22, 1976	August 4, 1978, 43 FR 34463.	Submitted on February 10, 1977. See 40 CFR 52.220(c)(37)(iv)(B).
410	Combustion Contaminants	November 22, 1976	August 4, 1978, 43 FR 34463.	Submitted on February 10, 1977. See 40 CFR 52.220(c)(37)(iv)(B).
411	Other Sources	November 22, 1976	August 4, 1978, 43 FR 34463.	Submitted on February 10, 1977. Refers to Table IV—listed separately in this table. See 40 CFR 52.220(c)(37)(iv)(B).
412 (excluding paragraph B).	Sulfur Recovery Units	November 22, 1976	August 4, 1978, 43 FR 34463.	Submitted on February 10, 1977. See 40 CFR 52.220(c)(37)(iv)(B).
430	General	November 22, 1976	August 4, 1978, 43 FR 34463.	Submitted on February 10, 1977. See 40 CFR 52.220(c)(37)(iv)(B).
431	Non-Agricultural Burning	June 19, 2001	June 14, 2002, 67 FR 40867.	Submitted on October 30, 2001. See 40 CFR 52.220(c)(288)(i)(B)(*1*).
431.5	Non-Agricultural Open Burning	October 1, 2002	April 30, 2003, 68 FR 23035.	Submitted on December 12, 2002. See 40 CFR 52.220(c)(308)(i)(B)(*1*).
431.7	Non-Agricultural Burning Hours	October 1, 2002	April 30, 2003, 68 FR 23035.	Submitted on December 12, 2002. See 40 CFR 52.220(c)(308)(i)(B)(*1*).
432	Exemption for Public Officers to Set or Permit a Fire for Certain Purposes.	October 20, 1987	October 23, 1989, 54 FR 43173; corrected on June 1, 1990, 55 FR 22334.	Submitted on March 23, 1988. See 40 CFR 52.220(c)(176)(i)(B)(*1*).
432.5	Exemptions for Preparation of Food and Recreational Purposes.	October 1, 2002	April 30, 2003, 68 FR 23035.	Submitted on December 12, 2002. See 40 CFR 52.220(c)(308)(i)(B)(*1*).
433	Limited Exemption for Single and Two-Family Dwelling.	October 1, 2002	April 30, 2003, 68 FR 23035.	Submitted on December 12, 2002. See 40 CFR 52.220(c)(308)(i)(B)(*1*).
433.5	Exemption to Lot Size and Distance Restrictions in Section 433.	October 1, 2002	April 30, 2003, 68 FR 23035.	Submitted on December 12, 2002. See 40 CFR 52.220(c)(308)(i)(B)(*1*).
434	Exemption for Levee, Reservoir and Ditch Maintenance.	June 19, 2001	June 14, 2002, 67 FR 40867.	Submitted on October 30, 2001. See 40 CFR 52.220(c)(288)(i)(B)(*1*).
436	Wood Waste Disposal by Open Burning.	October 1, 2002	April 30, 2003, 68 FR 23035.	Submitted on December 12, 2002. See 40 CFR 52.220(c)(308)(i)(B)(*1*).
436.5	Wood Waste Burning	October 1, 2002	April 30, 2003, 68 FR 23035.	Submitted on December 12, 2002. See 40 CFR 52.220(c)(308)(i)(B)(*1*).
437	Animal Matter	November 22, 1976	August 4, 1978, 43 FR 34463.	Submitted on February 10, 1977. See 40 CFR 52.220(c)(37)(iv)(B).
438	Orchard Heaters	November 22, 1976	August 4, 1978, 43 FR 34463.	Submitted on February 10, 1977. See 40 CFR 52.220(c)(37)(iv)(B).
439	Gasoline Storage	November 22, 1976	August 4, 1978, 43 FR 34463.	Submitted on February 10, 1977. See 40 CFR 52.220(c)(37)(iv)(B).
439.5	Retail Gasoline Service Stations	July 15, 1997	July 25, 2001, 66 FR 38561.	Submitted on May 18, 1998. See 40 CFR 52.220(c)(255)(i)(D)(*2*).
470	Air Toxics Control Measure for Emissions of Toxic Particulate Matter from In-Use Agricultural Compression Ignition Engines.	September 21, 2010	October 6, 2014, 79 FR 60061.	Adopted by the district as Exhibit A to Resolution 2010–174 on September 21, 2010. Submitted on April 5, 2011. See 40 CFR 52.220(c)(388)(i)(G)(*1*).
Chapter III—Maintenance, Malfunction, Evasion & Inspection				
520	Evasion	November 22, 1976	August 4, 1978, 43 FR 34463.	Submitted on February 10, 1977. See 40 CFR 52.220(c)(37)(iv)(B).
530	Emission Data and Sampling Access	November 22, 1976	August 4, 1978, 43 FR 34463.	Submitted on February 10, 1977. See 40 CFR 52.220(c)(37)(iv)(B).
532	Request Procedure	November 22, 1976	August 4, 1978, 43 FR 34463.	Submitted on February 10, 1977. See 40 CFR 52.220(c)(37)(iv)(B).
533	Trade Secrets	November 22, 1976	August 4, 1978, 43 FR 34463.	Submitted on February 10, 1977. See 40 CFR 52.220(c)(37)(iv)(B).
Chapter IV—Permits				
602	New Source Review	December 6, 1983	December 5, 1984, 49 FR 47490.	Submitted on March 14, 1984. See 40 CFR 52.220(c)(153)(i)(A).
630	Permit Transfers	April 28, 1981	November 10, 1982, 47 FR 50864.	Submitted on August 6, 1982. See 40 CFR 52.220(c)(124)(ii)(A).
640	Permit Exemptions	July 15, 1997	May 18, 1999, 64 FR 26876.	Submitted on March 10, 1998. See 40 CFR 52.220(c)(254)(i)(J)(*1*).
650D	Source Emission Testing	December 10, 1985	February 3, 1987, 52 FR 3226.	Submitted on February 10, 1986. See 40 CFR 52.220(c)(168)(i)(B)(*1*).
651	Source Emission Testing and Monitoring.	December 10, 1985	February 3, 1987, 52 FR 3226.	Submitted on February 10, 1986. See 40 CFR 52.220(c)(168)(i)(B)(*1*).
655	Performance Plan	June 16, 1981	June 18, 1982, 47 FR 26379.	Submitted on March 1, 1982. See 40 CFR 52.220(c)(121)(iii)(A).

TABLE 16—EPA-APPROVED LAKE COUNTY AIR QUALITY MANAGEMENT DISTRICT REGULATIONS—Continued

District citation	Title/subject	State effective date	EPA approval date	Additional explanation
Chapter VIII—Agricultural Burning				
1000	Agricultural and Prescribed Burning	June 19, 2001	June 14, 2002, 67 FR 40867.	Submitted on October 30, 2001. See 40 CFR 52.220(c)(288)(i)(B)(*1*).
1001	Agricultural Burning Permit	June 19, 2001	June 14, 2002, 67 FR 40867.	Submitted on October 30, 2001. See 40 CFR 52.220(c)(288)(i)(B)(*1*).
1002	Agencies Authorized to Issue Burning Permits.	August 9, 2005	November 9, 2006, 71 FR 65740.	Submitted on March 10, 2006. Refers to Table 8—listed separately in this table. See 40 CFR 52.220(c)(344)(i)(B)(*1*).
1003	Special No-Burn Day Permit	June 19, 2001	June 14, 2002, 67 FR 40867.	Submitted on October 30, 2001. See 40 CFR 52.220(c)(288)(i)(B)(*1*).
1010	No-Burn Days	June 13, 1989	May 18, 1999, 64 FR 26876.	Submitted on March 26, 1990. See 40 CFR 52.220(c)(179)(i)(F)(*1*).
1105	Burning Hours	June 19, 2001	June 14, 2002, 67 FR 40867.	Submitted on October 30, 2001. See 40 CFR 52.220(c)(288)(i)(B)(*1*).
1107	Agricultural Burning During Fire Season.	June 19, 2001	June 14, 2002, 67 FR 40867.	Submitted on October 30, 2001. See 40 CFR 52.220(c)(288)(i)(B)(*1*).
1130	Open Burning in Agricultural Operations in the Growing of Crops or Raising of Animals.	June 19, 2001	June 14, 2002, 67 FR 40867.	Submitted on October 30, 2001. See 40 CFR 52.220(c)(288)(i)(B)(*1*).
1140	Range Improvement Burning	June 19, 2001	June 14, 2002, 67 FR 40867.	Submitted on October 30, 2001. Includes Table 9, which is also listed separately in this table. See 40 CFR 52.220(c)(288)(i)(B)(*1*).
1145	Forest Management Burning	June 19, 2001	June 14, 2002, 67 FR 40867.	Submitted on October 30, 2001. See 40 CFR 52.220(c)(288)(i)(B)(*1*).
1150	Burning of Standing Tule	June 19, 2001	June 14, 2002, 67 FR 40867.	Submitted on October 30, 2001. See 40 CFR 52.220(c)(288)(i)(B)(*1*).
1160	Prescribed Burning, Habitat Improvement Burning, Wildland Vegetation Burning and Forest Management Burning.	June 19, 2001	June 14, 2002, 67 FR 40867.	Submitted on October 30, 2001. See 40 CFR 52.220(c)(288)(i)(B)(*1*).
1170	Wood Waste Burning	June 19, 2001	June 14, 2002, 67 FR 40867.	Submitted on October 30, 2001. Refers to Table 9—listed separately in this table. See 40 CFR 52.220(c)(288)(i)(B)(*1*).
Chapter XII—Issuing Permit to Title V Sources				
12.200(a4), (c2), (d1), (d2), (d3), (e3), (f1), (f2), (m1), (o1), (p1), (p2) and (s3).	Definitions	October 19, 1993	July 13, 1995, 60 FR 36065.	Approved defined terms include Air Pollution Control Officer (APCO), Clean Air Act, Designated Non-Major Stationary Source, Designated Non-Major Stationary Source Operating Permit, Direct Emissions, Emissions Unit, Federally-Enforceable Condition, Fugitive Emissions, Major Source, Operation, Permit Modification, Potential to Emit, and Stationary Source. Submitted on February 28, 1994. See 40 CFR 52.220(c)(217)(i)(B)(*1*).
12.800	Designated Non-Major Stationary Source Requirements.	October 19, 1993	July 13, 1995, 60 FR 36065.	Submitted on February 28, 1994. See 40 CFR 52.220(c)(217)(i)(B)(*1*).
12.810	Application for a Designated Non-Major Stationary Source Operating Permit.	October 19, 1993	July 13, 1995, 60 FR 36065.	Submitted on February 28, 1994. See 40 CFR 52.220(c)(217)(i)(B)(*1*).
12.820	Timely Application for a Designated Non-Major Stationary Source Operating Permit.	October 19, 1993	July 13, 1995, 60 FR 36065.	Submitted on February 28, 1994. See 40 CFR 52.220(c)(217)(i)(B)(*1*).
12.830	Procedure and Content for Issuance or Denial of a Designated Non-Major Stationary Source Operating Permit.	October 19, 1993	July 13, 1995, 60 FR 36065.	Submitted on February 28, 1994. See 40 CFR 52.220(c)(217)(i)(B)(*1*).
12.840	Non-compliance, Designated Non-Major Stationary Source.	October 19, 1993	July 13, 1995, 60 FR 36065.	Submitted on February 28, 1994. See 40 CFR 52.220(c)(217)(i)(B)(*1*).
12.850	Loss of Status as a Designated Non-Major Stationary Source.	October 19, 1993	July 13, 1995, 60 FR 36065.	Submitted on February 28, 1994. See 40 CFR 52.220(c)(217)(i)(B)(*1*).
Tables				
III	Guides for Estimating Dry Weights of Several California Fuel Types.	November 22, 1976	August 4, 1978, 43 FR 34463.	Submitted on February 10, 1977. Erroneously deleted at 62 FR 34641 (June 27, 1997) but reinstated at 84 FR 45422 (August 29, 2019). Table III is currently codified in Lake County air pollution regulations as ''Table 10.'' Table 10 is cited in Table 9 and used in connection with Sections 1140 and 1170. See 40 CFR 52.220(c)(37)(iv)(B).
IV	Particulate Matter Emissions Standard for Process Units and Process Equipment.	November 22, 1976	August 4, 1978, 43 FR 34463.	Submitted on February 10, 1977. Erroneously deleted at 62 FR 34641 (June 27, 1997) but reinstated at 84 FR 45422 (August 29, 2019). Cited in Section 411. See 40 CFR 52.220(c)(37)(iv)(B).
8	Agencies Designated to Issue Burning Permits.	August 9, 2005	November 9, 2006, 71 FR 65740.	Submitted on March 10, 2006. Cited in Section 1002. See 40 CFR 52.220(c)(344)(i)(B)(*1*).

TABLE 16—EPA-APPROVED LAKE COUNTY AIR QUALITY MANAGEMENT DISTRICT REGULATIONS—Continued

District citation	Title/subject	State effective date	EPA approval date	Additional explanation
9	Daily Quota of Agricultural Material that May Be Burned by Watershed.	June 19, 2001	June 14, 2002, 67 FR 40867.	Submitted on October 30, 2001. Cited in Sections 1140 and 1170. Refers to Table 10—listed as Table III in this table. See 40 CFR 52.220(c)(288)(i)(B)(*1*).

TABLE 17—EPA-APPROVED LASSEN COUNTY AIR POLLUTION CONTROL DISTRICT REGULATIONS

District citation	Title/subject	State effective date	EPA approval date	Additional explanation
Regulation I—General Provisions				
1:1	Title	October 1, 1971	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
1:2	Definitions	June 30, 1972	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
1:3	Air Pollution Data	October 1, 1971	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
1:4	Enforcement	October 1, 1971	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
1:6	General Provisions	October 1, 1971	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
Regulation II—Permits				
2:0	Permits Required	October 1, 1971	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
2:1	Sources Not Requiring Permit	October 1, 1971	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
2:3	Transfer	October 1, 1971	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
2:5	Cancellation of Applications	October 1, 1971	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
2:7	Provision of Sampling and Testing Facilities.	October 1, 1971	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
2:8	Standards for Granting Applications	October 1, 1971	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
2:9	Conditional Approval	October 1, 1971	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
Regulation IV—Prohibitions				
4:0	Ringelmann Chart	October 1, 1971	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
4:1	Wet Plumes	October 1, 1971	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
4:3	Particulate Matter	October 1, 1971	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
4:4	Specific Air Contaminants	June 30, 1972	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
4:4 (paragraph c)	Specific Air Contaminants	October 1, 1971	May 31, 1972, 37 FR 10842.	Paragraphs (a) and (b) were superseded by approval of Rule 4:4 at 37 FR 19812 (September 22, 1972) but paragraph (c), which limits NO_X emissions, remains in the applicable SIP. Submitted on February 21, 1972. See 40 CFR 52.220(b).
4:5	Exceptions	October 1, 1971	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
4:6	Additional Exception	October 1, 1971	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
4:7	Open Burning	October 1, 1971	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).

TABLE 17—EPA-APPROVED LASSEN COUNTY AIR POLLUTION CONTROL DISTRICT REGULATIONS—Continued

District citation	Title/subject	State effective date	EPA approval date	Additional explanation
4:8	Exceptions	October 1, 1971	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
4:9	Not a Violation of Law	October 1, 1971	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
4:10	Sulfur Contents of Fuels	June 30, 1972	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
4:11	Solid Particulate Matter—Weight	June 30, 1972	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
4:11	Exception to Rule 4:10	October 1, 1971	May 31, 1972, 37 FR 10842.	Submitted on February 21, 1972. See 40 CFR 52.220(b).
4:12	Separation of Emissions	June 30, 1972	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
4:13	Combination of Emissions	June 30, 1972	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
4:14	Orchard and Citrus Heaters	June 30, 1972	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
4:15	Gasoline Storage	June 30, 1972	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
4:15	Sulfur Content of Fuels	October 1, 1971	May 31, 1972, 37 FR 10842.	Submitted on February 21, 1972. See 40 CFR 52.220(b).
4:16	Circumvention	June 30, 1972	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
4:17	Reduction of Odorous Matter	June 30, 1972	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
Implementation Plan for Agricultural Burning				
Article I	Definitions	August 11, 1987	October 23, 1989, 54 FR 43173; corrected on June 1, 1990, 55 FR 22334.	Submitted on March 23, 1988. See 40 CFR 52.220(c)(176)(i)(C)(*1*).
Article II	Notification of Burning Conditions	August 11, 1987	October 23, 1989, 54 FR 43173; corrected on June 1, 1990, 55 FR 22334.	Submitted on March 23, 1988. See 40 CFR 52.220(c)(176)(i)(C)(*1*).
Article III	Exceptions	August 11, 1987	October 23, 1989, 54 FR 43173; corrected on June 1, 1990, 55 FR 22334.	Submitted on March 23, 1988. See 40 CFR 52.220(c)(176)(i)(C)(*1*).
Article IV	Enforcement	August 11, 1987	October 23, 1989, 54 FR 43173; corrected on June 1, 1990, 55 FR 22334.	Submitted on March 23, 1988. See 40 CFR 52.220(c)(176)(i)(C)(*1*).
Article V	Prohibitions	August 11, 1987	October 23, 1989, 54 FR 43173; corrected on June 1, 1990, 55 FR 22334.	Includes Section 5.1 (General) and Section 5.1 (Range Improvement Burning). Submitted on March 23, 1988. See 40 CFR 52.220(c)(176)(i)(C)(*1*).
Article VI	Burning Permits	August 11, 1987	October 23, 1989, 54 FR 43173; corrected on June 1, 1990, 55 FR 22334.	Submitted on March 23, 1988. See 40 CFR 52.220(c)(176)(i)(C)(*1*).
Article VII	Agricultural Burning Permits	August 11, 1987	October 23, 1989, 54 FR 43173; corrected on June 1, 1990, 55 FR 22334.	Submitted on March 23, 1988. See 40 CFR 52.220(c)(176)(i)(C)(*1*).

TABLE 18—EPA-APPROVED MARIPOSA COUNTY AIR POLLUTION CONTROL DISTRICT REGULATIONS

District citation	Title/subject	State effective date	EPA approval date	Additional explanation
Original Codification of Rules and Regulations				
Regulation VII—Enforcement				
7.1	Order for Abatement	July 15, 1969	May 31, 1972, 37 FR 10842.	Submitted on February 21, 1972. See 40 CFR 52.220(b).
7.2	Draft Order	July 15, 1969	May 31, 1972, 37 FR 10842.	Submitted on February 21, 1972. See 40 CFR 52.220(b).
7.3	Final Order	July 15, 1969	May 31, 1972, 37 FR 10842.	Submitted on February 21, 1972. See 40 CFR 52.220(b).
7.4	Effective Date of Order	July 15, 1969	May 31, 1972, 37 FR 10842.	Submitted on February 21, 1972. See 40 CFR 52.220(b).
7.5	Judicial Review	July 15, 1969	May 31, 1972, 37 FR 10842.	Submitted on February 21, 1972. See 40 CFR 52.220(b).
7.6	Record Before Court	July 15, 1969	May 31, 1972, 37 FR 10842.	Submitted on February 21, 1972. See 40 CFR 52.220(b).
7.7	Injunctions	July 15, 1969	May 31, 1972, 37 FR 10842.	Submitted on February 21, 1972. See 40 CFR 52.220(b).
7.8	Procedure for Injunctions	July 15, 1969	May 31, 1972, 37 FR 10842.	Submitted on February 21, 1972. See 40 CFR 52.220(b).
1972–1974 Codification of Rules and Regulations				
Rules and Regulations—Prohibitions				
6.1	Nitrogen Oxides—Combustion Contaminants.	June 30, 1972	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
6.3	Fuel Burning Equipment—Combustion Contaminants.	June 30, 1972	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
6.4	Fuel Burning Equipment	June 30, 1972	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
7	Organic Solvent Rule	June 30, 1972	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
12	Permits Required	June 30, 1972	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
14	Posting of Permit	June 30, 1972	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
15	Altering of Permit	June 30, 1972	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
Post-1974 Recodification of Rules and Regulations				
Regulation I—General Provisions				
101	Title	January 10, 1975	August 22, 1977, 42 FR 42219.	Submitted on January 10, 1975. See 40 CFR 52.220(c)(26)(viii)(A).
102 (excluding paragraphs (B), (E), (S), (II), and (SS)).	Definitions	January 10, 1975	August 22, 1977, 42 FR 42219.	Submitted on January 10, 1975. See 40 CFR 52.220(c)(26)(viii)(A). Certain definitions have been superseded, including Agricultural Burning, Air Contaminant or Pollutant, Emission Data, Particulate Matter, and Section.
102 (paragraph (B))	Definitions (Agricultural Burning)	June 6, 1977	August 16, 1978, 43 FR 36245.	Submitted on June 6, 1977. See 40 CFR 52.220(c)(39)(vii)(A).
102 (paragraph (E))	Definitions (Air Contaminant or Pollutant).	June 6, 1977	August 16, 1978, 43 FR 36245.	Submitted on June 6, 1977. See 40 CFR 52.220(c)(39)(vii)(A).
102 (paragraph (S)	Definitions (Emission Data)	June 6, 1977	August 16, 1978, 43 FR 36245.	Submitted on June 6, 1977. See 40 CFR 52.220(c)(39)(vii)(A).
102 (paragraph (II)	Definitions (Particulate Matter)	June 6, 1977	August 16, 1978, 43 FR 36245.	Submitted on June 6, 1977. See 40 CFR 52.220(c)(39)(vii)(A).
102 (paragraph (SS))	Definitions (Section)	June 6, 1977	August 16, 1978, 43 FR 36245.	Submitted on June 6, 1977. See 40 CFR 52.220(c)(39)(vii)(A).
Regulation II—Prohibitions				
201	District-Wide Coverage	January 10, 1975	August 22, 1977, 42 FR 42219.	Submitted on January 10, 1975. See 40 CFR 52.220(c)(26)(viii)(A).
202	Visible Emissions	January 10, 1975	August 22, 1977, 42 FR 42219.	Submitted on January 10, 1975. See 40 CFR 52.220(c)(26)(viii)(A).
203 (paragraph (d))	Exceptions	January 10, 1975	August 22, 1977, 42 FR 42219.	Submitted on January 10, 1975. See 40 CFR 52.220(c)(26)(viii)(A). Rule 203, as approved on August 22, 1977, was superseded by approval of amended Rule 203, and by approval of the rescission of paragraph (k), at 43 FR 36245 (August 16, 1978), except for paragraph (d).

TABLE 18—EPA-APPROVED MARIPOSA COUNTY AIR POLLUTION CONTROL DISTRICT REGULATIONS—Continued

District citation	Title/subject	State effective date	EPA approval date	Additional explanation
203 (excluding paragraphs (D) and (G)).	Exceptions	June 6, 1977	August 16, 1978, 43 FR 36245.	Submitted on June 6, 1977. See 40 CFR 52.220(c)(39)(vii)(A). No action was taken on paragraph (D), and paragraph (G) was disapproved at 43 FR 36245 (August 16, 1978).
204	Wet Plumes	January 10, 1975	August 22, 1977, 42 FR 42219.	Submitted on January 10, 1975. See 40 CFR 52.220(c)(26)(viii)(A).
206	Incinerator Burning	January 10, 1975	August 22, 1977, 42 FR 42219.	Submitted on January 10, 1975. See 40 CFR 52.220(c)(26)(viii)(A).
206(B)	Pathological Incineration	June 6, 1977	August 16, 1978, 43 FR 36245.	Submitted on June 6, 1977. See 40 CFR 52.220(c)(39)(vii)(A).
207	Particulate Matter	June 6, 1977	August 16, 1978, 43 FR 36245.	Submitted on June 6, 1977. See 40 CFR 52.220(c)(39)(vii)(A).
208	Orchard or Citrus Heaters	June 6, 1977	August 16, 1978, 43 FR 36245.	Submitted on June 6, 1977. See 40 CFR 52.220(c)(39)(vii)(A).
210	Sulfur Emissions	January 10, 1975	August 22, 1977, 42 FR 42219.	Submitted on January 10, 1975. See 40 CFR 52.220(c)(26)(viii)(A).
211	Process Weight Per Hour	January 10, 1975	August 22, 1977, 42 FR 42219.	Submitted on January 10, 1975. See 40 CFR 52.220(c)(26)(viii)(A).
212	Process Weight Table	January 10, 1975	August 22, 1977, 42 FR 42219.	Submitted on January 10, 1975. See 40 CFR 52.220(c)(26)(viii)(A).
213	Storage of Petroleum Products	January 10, 1975	August 22, 1977, 42 FR 42219.	Submitted on January 10, 1975. See 40 CFR 52.220(c)(26)(viii)(A).
214	Reduction of Animal Matter	January 10, 1975	August 22, 1977, 42 FR 42219.	Submitted on January 10, 1975. See 40 CFR 52.220(c)(26)(viii)(A).
215	Enforcement	January 10, 1975	August 22, 1977, 42 FR 42219.	Submitted on January 10, 1975. See 40 CFR 52.220(c)(26)(viii)(A).
215	Abrasive Blasting	June 6, 1977	August 16, 1978, 43 FR 36245.	Submitted on June 6, 1977. See 40 CFR 52.220(c)(39)(vii)(A).
216	Existing Sources	January 10, 1975	August 22, 1977, 42 FR 42219.	Submitted on January 10, 1975. See 40 CFR 52.220(c)(26)(viii)(A).
Regulation III—Open Burning				
300	General Definitions	July 19, 1988	August 6, 1990, 55 FR 31833.	Submitted on February 7, 1989. See 40 CFR 52.220(c)(177)(i)(C)(*1*).
301	Compliance	July 19, 1988	August 6, 1990, 55 FR 31833.	Submitted on February 7, 1989. See 40 CFR 52.220(c)(177)(i)(C)(*1*).
302	Burning Permit	July 19, 1988	August 6, 1990, 55 FR 31833.	Submitted on February 7, 1989. See 40 CFR 52.220(c)(177)(i)(C)(*1*).
303	No-Burn Day	July 19, 1988	August 6, 1990, 55 FR 31833.	Submitted on February 7, 1989. See 40 CFR 52.220(c)(177)(i)(C)(*1*).
304	Burning Management	July 19, 1988	August 6, 1990, 55 FR 31833.	Submitted on February 7, 1989. See 40 CFR 52.220(c)(177)(i)(C)(*1*).
305	Minimum Drying Times	July 19, 1988	August 6, 1990, 55 FR 31833.	Submitted on February 7, 1989. See 40 CFR 52.220(c)(177)(i)(C)(*1*).
305	Permit Validity	January 10, 1975	August 22, 1977, 42 FR 42219.	Submitted on January 10, 1975. See 40 CFR 52.220(c)(26)(viii)(A).
306	Agricultural Burning	July 19, 1988	August 6, 1990, 55 FR 31833.	Submitted on February 7, 1989. See 40 CFR 52.220(c)(177)(i)(C)(*1*).
307	Wildland Vegetation Management Burning.	July 19, 1988	August 6, 1990, 55 FR 31833.	Submitted on February 7, 1989. See 40 CFR 52.220(c)(177)(i)(C)(*1*).
308	Nonagricultural Burning	July 19, 1988	August 6, 1990, 55 FR 31833.	Submitted on February 7, 1989. See 40 CFR 52.220(c)(177)(i)(C)(*1*).
308	Agricultural Burning Reports	June 6, 1977	August 16, 1978, 43 FR 36245.	Submitted on June 6, 1977. See 40 CFR 52.220(c)(39)(vii)(A).
311	Restricted Burning Days	January 10, 1975	August 22, 1977, 42 FR 42219.	Submitted on January 10, 1975. See 40 CFR 52.220(c)(26)(viii)(A).
Regulation IV—Permit Systems Conditions				
401	Responsibility	January 10, 1975	August 22, 1977, 42 FR 42219.	Submitted on January 10, 1975. See 40 CFR 52.220(c)(26)(viii)(A).
403	Responsibility of Permitee	January 10, 1975	August 22, 1977, 42 FR 42219.	Submitted on January 10, 1975. See 40 CFR 52.220(c)(26)(viii)(A).
405	Separation of Emissions	January 10, 1975	August 22, 1977, 42 FR 42219.	Submitted on January 10, 1975. See 40 CFR 52.220(c)(26)(viii)(A).
406	Combination of Emissions	January 10, 1975	August 22, 1977, 42 FR 42219.	Submitted on January 10, 1975. See 40 CFR 52.220(c)(26)(viii)(A).
407	Circumvention	June 6, 1977	August 16, 1978, 43 FR 36245.	Submitted on June 6, 1977. See 40 CFR 52.220(c)(39)(vii)(A).
409	Public Records	January 10, 1975	August 22, 1977, 42 FR 42219.	Submitted on January 10, 1975. See 40 CFR 52.220(c)(26)(viii)(A).
Regulation V—Permit System Requirements				
507	Provision of Sampling and Testing Facilities.	June 6, 1977	August 16, 1978, 43 FR 36245.	Submitted on June 6, 1977. See 40 CFR 52.220(c)(39)(vii)(A).
513	Emissions Statements	May 15, 2018	July 13, 2020, 85 FR 41922.	Submitted on April 30, 2019. See 40 CFR 52.220(c)(534)(i)(A)(*1*).

TABLE 18—EPA-APPROVED MARIPOSA COUNTY AIR POLLUTION CONTROL DISTRICT REGULATIONS—Continued

District citation	Title/subject	State effective date	EPA approval date	Additional explanation
Regulation XI—NSR Requirements for New and Modified Major Sources in the Mariposa County Air Pollution Control District				
Regulation XI	NSR Requirements for New and Modified Major Sources in the Mariposa County Air Pollution Control District.	March 12, 2019	November 19, 2020, 85 FR 73634.	Submitted on April 5, 2019. See 40 CFR 52.220(c)(544)(i)(B)(*1*).
Emergency Episode Plans				
Mariposa County Air Pollution Control District, Resolution No. 1APCD–2020–4, April 7, 2020.	Final Ozone Emergency Episode Plan, February 21, 2020.	April 7, 2020	March 30, 2021, 86 FR 16533.	Submitted on June 25, 2020 as an attachment to a letter dated June 16, 2020. See 40 CFR 52.220(c)(552)(i)(E)(*1*).

TABLE 19—EPA-APPROVED MENDOCINO COUNTY AIR QUALITY MANAGEMENT DISTRICT REGULATIONS

District citation	Title/subject	State effective date	EPA approval date	Additional explanation
Original Codification of Rules and Regulations				
Part V—Prohibitions and Standards				
1	Visible Emissions	February 9, 1971	May 31, 1972, 37 FR 10842.	Submitted on February 21, 1972. See 40 CFR 52.220(b). Most of the provisions have been superseded by approval of District Rule 410, but certain exclusions in paragraph (C) (i.e., exclusions (1), (2), (3) and (7)) have not been superseded or rescinded and thus remain in the applicable SIP.
3	Total Reduced Sulfides	February 9, 1971	May 31, 1972, 37 FR 10842.	Submitted on February 21, 1972. See 40 CFR 52.220(b).
Part VI—Maintenance, Malfunction, Evasion, Inspection				
3	Evasion	February 9, 1971	May 31, 1972, 37 FR 10842.	Submitted on February 21, 1972. See 40 CFR 52.220(b).
Part VIII—Emergency Conditions				
1	Emergency Conditions	February 9, 1971	May 31, 1972, 37 FR 10842.	Submitted on February 21, 1972. See 40 CFR 52.220(b).
1976 Recodification of Rules and Regulations				
Regulation 1—Air Quality Control Rules				
Chapter I—General Provisions				
100	Title	December 13, 1983	December 5, 1984, 49 FR 47490.	Submitted on April 19, 1984. See 40 CFR 52.220(c)(154)(i)(A).
110	Purpose	July 13, 1976	November 7, 1978, 43 FR 51768.	Submitted on November 10, 1976. See 40 CFR 52.220(c)(35)(xv)(C).
120	Administration	December 13, 1983	December 5, 1984, 49 FR 47490.	Submitted on April 19, 1984. See 40 CFR 52.220(c)(154)(i)(A).
150	Public Records	July 13, 1976	November 7, 1978, 43 FR 51768.	Submitted on November 10, 1976. See 40 CFR 52.220(c)(35)(xv)(C).
190	Validity	July 13, 1976	November 7, 1978, 43 FR 51768.	Submitted on November 10, 1976. See 40 CFR 52.220(c)(35)(xv)(C).
Chapter II—Permits				
210	Environmental Assessment	August 7, 1979	June 18, 1982, 47 FR 26379.	Submitted on April 17, 1980. See 40 CFR 52.220(c)(119)(ii)(A).
240 (excluding the introductory paragraph to paragraph (e)).	Permit to Operate	December 13, 1983	December 5, 1984, 49 FR 47490.	Submitted on April 19, 1984. See 40 CFR 52.220(c)(154)(i)(A). The introductory paragraph to paragraph (e) was superseded by approval of a revised introductory paragraph at 50 FR 19529 (May 9, 1985).
240 (introductory paragraph to paragraph (e)).	Permit to Operate	September 18, 1984	May 9, 1985, 50 FR 19529.	Submitted on December 3, 1984. See 40 CFR 52.220(c)(158)(i)(A).
260	Exclusions	December 13, 1983	July 31, 1985, 50 FR 30941.	Submitted on April 19, 1984. See 40 CFR 52.220(c)(154)(i)(B).
Chapter IV—Prohibitions				
400(b)	Circumvention	April 6, 1993	March 21, 2003, 68 FR 13843.	Submitted on November 18, 1993. See 40 CFR 52.220(c)(194)(i)(G)(*2*).
410 (excluding (c)(2))	Visible Emissions	August 1, 1978	October 31, 1980, 45 FR 72147.	Submitted on May 7, 1979. See 40 CFR 52.220(c)(50)(iii)(A).

TABLE 19—EPA-APPROVED MENDOCINO COUNTY AIR QUALITY MANAGEMENT DISTRICT REGULATIONS—Continued

District citation	Title/subject	State effective date	EPA approval date	Additional explanation
420	Particulate Matter	February 13, 1979	October 31, 1980, 45 FR 72147.	Submitted on May 23, 1979. See 40 CFR 52.220(c)(51)(v)(A).
430	Fugitive Dust	July 13, 1976	November 7, 1978, 43 FR 51768.	Submitted on November 10, 1976. See 40 CFR 52.220(c)(35)(xv)(C).
440	Sulfur Oxide Emissions	July 13, 1976	November 7, 1978, 43 FR 51768.	Submitted on November 10, 1976. See 40 CFR 52.220(c)(35)(xv)(C).
455(a) and (d)	Geothermal Emission Standards	June 21, 1977	December 21, 1978, 43 FR 59487.	Submitted on November 4, 1977. See 40 CFR 52.220(c)(42)(xix)(A).
470	Reduction of Animal Matter	July 13, 1976	November 7, 1978, 43 FR 51768.	Submitted on November 10, 1976. See 40 CFR 52.220(c)(35)(xv)(C).
480	Orchard, Vineyard and Citrus Grove Heaters.	July 13, 1976	November 7, 1978, 43 FR 51768.	Submitted on November 10, 1976. See 40 CFR 52.220(c)(35)(xv)(C).
482	Petroleum Loading and Storage	July 13, 1976	November 7, 1978, 43 FR 51768.	Submitted on November 10, 1976. See 40 CFR 52.220(c)(35)(xv)(C).
Chapter V—Enforcement and Penalty Actions				
540	Equipment Breakdown	February 13, 1979	October 31, 1980, 45 FR 72147.	Submitted on May 23, 1979. See 40 CFR 52.220(c)(51)(v)(A).
Appendices to Regulation 1				
Appendix B (excluding paragraph (D)(1)(e)).	Continuous Monitoring	December 13, 1983	December 5, 1984, 49 FR 47490.	Submitted on April 19, 1984. See 40 CFR 52.220(c)(154)(i)(A). No action was taken on paragraph (D)(1)(e) at 49 FR 47490 (December 5, 1984).
Regulation 2—Open Burning Procedures				
Chapter I—General Provisions				
120 (paragraphs (h), (k) and (n)).	Definitions	April 1, 1980	April 13, 1982, 47 FR 15784.	Submitted on January 28, 1981. See 40 CFR 52.220(c)(98)(iii)(A). All of the definitions other than for ''mechanized burner,'' ''open burning,'' and ''regulated open burning'' were superseded by approval of Rule 2–200 at 49 FR 47490 (December 5, 1984).
Chapter II—Burning Approval Procedures				
200	Classification of Open Burning	April 1, 1980	April 13, 1982, 47 FR 15784.	Submitted on January 28, 1981. See 40 CFR 52.220(c)(98)(iii)(A).
240	Burning Permits and Reports	April 1, 1980	April 13, 1982, 47 FR 15784.	Submitted on January 28, 1981. See 40 CFR 52.220(c)(98)(iii)(A).
Chapter III—Limitations & Enforcement				
300	Burning Preparation and Restrictions	April 1, 1980	April 13, 1982, 47 FR 15784.	Submitted on January 28, 1981. See 40 CFR 52.220(c)(98)(iii)(A).
Appendices to Regulation 2				
Appendix A	Humboldt Bay Air Basin	April 1, 1980	April 13, 1982, 47 FR 15784.	Submitted on January 28, 1981. See 40 CFR 52.220(c)(98)(iii)(A).
Appendix B	Ukiah—Little Lake Air Basin	April 1, 1980	April 13, 1982, 47 FR 15784.	Submitted on January 28, 1981. See 40 CFR 52.220(c)(98)(iii)(A).
Appendix C	Districts by Watershed	April 1, 1980	April 13, 1982, 47 FR 15784.	Submitted on January 28, 1981. See 40 CFR 52.220(c)(98)(iii)(A).
More Recent Recodification of District Rules				
Regulation 1—Air Pollution Control Rules				
1–130	Definitions	September 20, 2016	July 3, 2017, 82 FR 30770.	Submitted on November 15, 2016. See 40 CFR 52.220(c)(489)(i)(A)(*1*).
1–200	Permit Requirements	September 20, 2016	July 3, 2017, 82 FR 30770.	Submitted on November 15, 2016. See 40 CFR 52.220(c)(489)(i)(A)(*2*).
1–220	New Source Review Standards (Including PSD Evaluations).	April 7, 2020	June 25, 2021, 86 FR 33539.	Submitted on August 10, 2020. See 40 CFR 52.220(c)(555)(i)(A)(*1*).
1–230	Action on Applications	April 7, 2020	June 25, 2021, 86 FR 33539.	Submitted on August 10, 2020. See 40 CFR 52.220(c)(555)(i)(A)(*2*).
Regulation 2—Open Burning				
2–101	Restrictions and Descriptions	December 13, 1983	December 5, 1984, 49 FR 47490.	Submitted on April 19, 1984. See 40 CFR 52.220(c)(154)(i)(A).
2–102	Exemptions	December 13, 1983	December 5, 1984, 49 FR 47490.	Submitted on April 19, 1984. See 40 CFR 52.220(c)(154)(i)(A).
2–200	Definitions	December 13, 1983	December 5, 1984, 49 FR 47490.	Submitted on April 19, 1984. See 40 CFR 52.220(c)(154)(i)(A).
2–301	Open Burning—Agricultural	December 13, 1983	December 5, 1984, 49 FR 47490.	Submitted on April 19, 1984. See 40 CFR 52.220(c)(154)(i)(A).

TABLE 19—EPA-APPROVED MENDOCINO COUNTY AIR QUALITY MANAGEMENT DISTRICT REGULATIONS—Continued

District citation	Title/subject	State effective date	EPA approval date	Additional explanation
2–302	Open Burning—Nonagricultural	December 13, 1983	December 5, 1984, 49 FR 47490.	Submitted on April 19, 1984. See 40 CFR 52.220(c)(154)(i)(A).
2–303	Forecasts	December 13, 1983	December 5, 1984, 49 FR 47490.	Submitted on April 19, 1984. See 40 CFR 52.220(c)(154)(i)(A).
2–304	Burning Permits	December 13, 1983	December 5, 1984, 49 FR 47490.	Submitted on April 19, 1984. See 40 CFR 52.220(c)(154)(i)(A).
2–305	Designated Fire Agencies	December 13, 1983	December 5, 1984, 49 FR 47490.	Submitted on April 19, 1984. See 40 CFR 52.220(c)(154)(i)(A).
2–401	Burning Preparation and Restrictions	December 13, 1983	December 5, 1984, 49 FR 47490.	Submitted on April 19, 1984. See 40 CFR 52.220(c)(154)(i)(A).
2–501	Prohibitions	December 13, 1983	December 5, 1984, 49 FR 47490.	Submitted on April 19, 1984. See 40 CFR 52.220(c)(154)(i)(A).

TABLE 20—EPA-APPROVED MODOC COUNTY AIR POLLUTION CONTROL DISTRICT REGULATIONS

District citation	Title/subject	State effective date	EPA approval date	Additional explanation
Original Codification of Air Pollution Rules and Regulations				
Regulation I—General Provisions				
1:1	Title	April 17, 1972	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
1:3	Air Pollution Data	April 17, 1972	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
1:6	General Provisions	April 17, 1972	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
Regulation II—Permits				
2:0	Permits Required	April 17, 1972	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
2:1	Sources Not Requiring Permits	April 17, 1972	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
2:8 (excluding paragraph (a.)).	Standards for Granting Applications	April 17, 1972	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6). Paragraph (a.) was superseded by approval of Rule 2:8–e at 47 FR 26379 (June 18, 1982).
2:8–e	Standards for Permits to Construct	June 18, 1979	June 18, 1982, 47 FR 26379.	Submitted on December 17, 1979. See 40 CFR 52.220(c)(58)(ix)(A).
2:11	List and Criteria	August 21, 1978	January 27, 1981, 46 FR 8471.	Submitted on May 7, 1979. See 40 CFR 52.220(c)(50)(vii)(A).
Regulation III—Prohibitions				
3:3	Particulate Matter	August 21, 1978	January 27, 1981, 46 FR 8471.	Submitted on May 7, 1979. See 40 CFR 52.220(c)(50)(vii)(A).
3:4	Specific Air Contaminants	August 21, 1978	January 27, 1981, 46 FR 8471.	Submitted on May 7, 1979. See 40 CFR 52.220(c)(50)(vii)(A).
3:4A	Reduction of Odorous Matter	April 17, 1972	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
3:7	Open Burning	April 17, 1972	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
3:8	Exceptions	April 17, 1972	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
3:9	Other Violations Not Permitted	April 17, 1972	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
3:10	Sulfur Contents of Fuels	April 17, 1972	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
3:10A	Ambient Air Quality Standards	December 18, 1972	February 10, 1977, 42 FR 8376; corrected on August 22, 1977, 42 FR 42219.	Submitted on July 25, 1973. See 40 CFR 52.220(c)(21)(ii)(A).
3:12	Solid Particulate Matter—Weight	August 21, 1978	April 13, 1982, 47 FR 15784.	Submitted on October 10, 1980. See 40 CFR 52.220(c)(84)(vii)(A).
3:14	Combination of Emissions	April 17, 1972	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).

TABLE 20—EPA-APPROVED MODOC COUNTY AIR POLLUTION CONTROL DISTRICT REGULATIONS—Continued

District citation	Title/subject	State effective date	EPA approval date	Additional explanation
3:16	Gasoline Storage	April 17, 1972	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
Regulation V—Agricultural Burning				
5:1	Enforcement	December 18, 1972	February 10, 1977, 42 FR 8376; corrected on August 22, 1977, 42 FR 42219.	Submitted on July 25, 1973. See 40 CFR 52.220(c)(21)(ii)(A).
5:2	Burning Permits	December 18, 1972	February 10, 1977, 42 FR 8376; corrected on August 22, 1977, 42 FR 42219.	Submitted on July 25, 1973. See 40 CFR 52.220(c)(21)(ii)(A).
5:4	Notification of Burning Conditions	December 18, 1972	February 10, 1977, 42 FR 8376; corrected on August 22, 1977, 42 FR 42219.	Submitted on July 25, 1973. See 40 CFR 52.220(c)(21)(ii)(A).
5:5	Exceptions	December 18, 1972	February 10, 1977, 42 FR 8376; corrected on August 22, 1977, 42 FR 42219.	Submitted on July 25, 1973. See 40 CFR 52.220(c)(21)(ii)(A).
5:6	Enforcement	December 18, 1972	February 10, 1977, 42 FR 8376; corrected on August 22, 1977, 42 FR 42219.	Submitted on July 25, 1973. See 40 CFR 52.220(c)(21)(ii)(A).
5:7	Prohibitions	December 18, 1972	February 10, 1977, 42 FR 8376; corrected on August 22, 1977, 42 FR 42219.	Submitted on July 25, 1973. See 40 CFR 52.220(c)(21)(ii)(A). Includes general prohibitions as well as specific provisions related to range improvement burning and forest management burning.
January 1989 Recodification of Air Pollution Rules and Regulations				
Regulation I—General Provisions				
1.2	Definitions	May 1, 1989	June 30, 1999, 64 FR 35005.	Submitted on December 31, 1990. See 40 CFR 52.220(c)(182)(i)(F)(*3*).
Regulation II—Permit System				
2.3	Transfers	January 15, 1989	August 1, 2016, 81 FR 50362.	Submitted on December 31, 1990. See 40 CFR 52.220(c)(182)(i)(F)(*5*).
2.5	Expiration of Applications	January 15, 1989	August 1, 2016, 81 FR 50362.	Submitted on December 31, 1990. See 40 CFR 52.220(c)(182)(i)(F)(*6*).
2.7	Conditional Approval	January 15, 1989	August 1, 2016, 81 FR 50362.	Submitted on December 31, 1990. See 40 CFR 52.220(c)(182)(i)(F)(*7*).
2.10	Further Information	January 15, 1989	August 1, 2016, 81 FR 50362.	Submitted on December 31, 1990. See 40 CFR 52.220(c)(182)(i)(F)(*8*).
Regulation IV—Prohibitions				
4.1	Visible Emissions	January 15, 1989	July 17, 2001, 66 FR 37151.	Submitted on December 31, 1990. See 40 CFR 52.220(c)(182)(i)(F)(*4*).
4.1–2	Uncombined Water	January 3, 1989	June 3, 1999, 64 FR 29790.	Submitted on December 31, 1990. See 40 CFR 52.220(c)(182)(i)(F)(*1*).
4.6	Circumvention	January 3, 1989	June 3, 1999, 64 FR 29790.	Submitted on December 31, 1990. See 40 CFR 52.220(c)(182)(i)(F)(*1*).
4.6–1	Exception to Circumvention	January 3, 1989	June 3, 1999, 64 FR 29790.	Submitted on December 31, 1990. See 40 CFR 52.220(c)(182)(i)(F)(*1*).
4.9	Separation of Emissions	January 3, 1989	June 3, 1999, 64 FR 29790.	Submitted on December 31, 1990. See 40 CFR 52.220(c)(182)(i)(F)(*1*).
4.11	Orchard and Citrus Heaters	January 3, 1989	May 18, 1999, 64 FR 26876.	Submitted on December 31, 1990. See 40 CFR 52.220(c)(182)(i)(F)(*2*).
Regulation VII—Agricultural Burning				
7.1	Definitions	May 1, 1989	June 30, 1999, 64 FR 35005.	Submitted on December 31, 1990. See 40 CFR 52.220(c)(182)(i)(F)(*3*).

TABLE 21—EPA-APPROVED MOJAVE DESERT AIR QUALITY MANAGEMENT DISTRICT REGULATIONS (DISTRICT-WIDE, RIVERSIDE COUNTY PORTION OF DISTRICT, AND SAN BERNARDINO COUNTY PORTION OF DISTRICT)

District citation	Title/subject	State effective date	EPA approval date	Additional explanation
[Reserved]				

TABLE 22—EPA-APPROVED MONTEREY BAY AIR RESOURCES DISTRICT REGULATIONS

District citation	Title/subject	State effective date	EPA approval date	Additional explanation
Air Pollution Rules and Regulations (District-Wide Applicability)				
Regulation I—General Provisions				
100	Title	December 13, 1984	July 13, 1987, 52 FR 26148.	Submitted on February 6, 1985. See 40 CFR 52.220(c)(159)(iii)(A).
101	Definitions	February 21, 2007	November 15, 2007, 72 FR 64156.	Submitted on August 24, 2007. See 40 CFR 52.220(c)(351)(i)(B)(*1*).
103	Effective Date	December 13, 1984	July 13, 1987, 52 FR 26148.	Submitted on February 6, 1985. See 40 CFR 52.220(c)(159)(iii)(A).
105	Separate Zone	December 13, 1984	July 13, 1987, 52 FR 26148.	Submitted on February 6, 1985. See 40 CFR 52.220(c)(159)(iii)(A).
106	Increments of Progress	December 13, 1984	July 13, 1987, 52 FR 26148.	Submitted on February 6, 1985. See 40 CFR 52.220(c)(159)(iii)(A).
Regulation II—Permits				
200	Permits Required	December 17, 1986	July 1, 1999, 64 FR 35577.	Submitted on June 9, 1987. See 40 CFR 52.220(c)(173)(i)(C)(*2*).
201 (introductory paragraph through subparagraph (8.6)).	Source Not Requiring Permits	December 17, 1986	February 3, 1989, 54 FR 5448.	Submitted on June 9, 1987. See 40 CFR 52.220(c)(173)(i)(C)(*1*).
201 (subparagraph (8.7 through paragraph (16)).	Source Not Requiring Permits	December 13, 1984	July 13, 1987, 52 FR 26148.	Submitted on February 6, 1985. See 40 CFR 52.220(c)(159)(iii)(A).
202	Transfer	December 13, 1984	July 13, 1987, 52 FR 26148.	Submitted on February 6, 1985. See 40 CFR 52.220(c)(159)(iii)(A).
203	Application	October 16, 2002	March 26, 2015, 80 FR 15899.	Submitted on December 12, 2002. See 40 CFR 52.220(c)(308)(i)(E)(*1*).
204	Cancellation of Applications	March 21, 2001	March 26, 2015, 80 FR 15899.	Submitted on May 31, 2001. See 40 CFR 52.220(c)(282)(i)(C)(*2*).
205	Provision of Sampling and Testing Facilities.	March 21, 2001	September 20, 2012, 77 FR 58313.	Submitted on May 31, 2001. See 40 CFR 52.220(c)(282)(i)(C)(*1*).
206	Standards for Issuing Authorities to Construct and Permits to Operate.	March 21, 2001	March 26, 2015, 80 FR 15899.	Submitted on May 31, 2001. See 40 CFR 52.220(c)(282)(i)(C)(*3*).
207	Review of New or Modified Sources	April 20, 2011	March 26, 2015, 80 FR 15899.	Submitted on May 12, 2011. See 40 CFR 52.220(c)(453)(i)(A)(*1*).
212	Public Availability of Emission Data	October 16, 2002	March 26, 2015, 80 FR 15899.	Submitted on December 12, 2002. See 40 CFR 52.220(c)(308)(i)(E)(*2*).
213	Continuous Emissions Monitoring	March 21, 2001	December 9, 2002, 67 FR 72842.	Submitted on May 23, 2001. See 40 CFR 52.220(c)(281)(i)(B)(*1*).
214	Breakdown Conditions	December 13, 1984	July 13, 1987, 52 FR 26148.	Submitted on February 6, 1985. See 40 CFR 52.220(c)(159)(iii)(A).
215	Banking of Emissions Reductions	March 26, 1997	July 1, 1999, 64 FR 35577.	Submitted on June 3, 1997. See 40 CFR 52.220(c)(258)(i)(A)(*2*).
Regulation III—Fees				
300 (excluding paragraph (i)(1)).	Permit Fees	June 14, 1978	May 18, 1981, 46 FR 27116.	Submitted on December 17, 1979. See 40 CFR 52.220(c)(58)(i)(B). Paragraph (i)(1) was disapproved—see 40 CFR 52.236(g)(1)(i).
300 (part 4, paragraph 4.4 only).	Permit Fees	July 1, 1993	January 17, 1997, 62 FR 2597.	Submitted on November 18, 1993. See 40 CFR 52.220(c)(194)(i)(F)(*5*). Only paragraph 4.4 (''Emissions Statement'') of part 4 was approved.
Regulation IV—Prohibitions				
400	Visible Emissions	August 15, 2012	December 10, 2012, 77 FR 73322.	Submitted on September 20, 2012. See 40 CFR 52.220(c)(422)(i)(A)(*1*).
403	Particulate Matter	February 16, 2005	November 9, 2006, 71 FR 65740.	Submitted on July 15, 2005. See 40 CFR 52.220(c)(337)(i)(D)(*1*).
404	Sulfur Compounds and Nitrogen Oxides.	December 15, 2004	October 14, 2005, 70 FR 60008.	Submitted on January 13, 2005. See 40 CFR 52.220(c)(335)(i)(A)(*3*).
408	Incinerator Burning	September 15, 2004	April 25, 2005, 70 FR 21151.	Submitted on January 13, 2005. See 40 CFR 52.220(c)(335)(i)(A)(*1*).
412	Sulfur Content of Fuels	August 21, 2002	September 30, 2003, 68 FR 56174.	Submitted on October 16, 2002. See 40 CFR 52.220(c)(302)(i)(B)(*4*).
413	Removal of Sulfur Compounds	August 21, 2002	September 30, 2003, 68 FR 56174.	Submitted on October 16, 2002. See 40 CFR 52.220(c)(302)(i)(B)(*4*).

TABLE 22—EPA-APPROVED MONTEREY BAY AIR RESOURCES DISTRICT REGULATIONS—Continued

District citation	Title/subject	State effective date	EPA approval date	Additional explanation
414	Reduction of Animal Matter	August 21, 2002	September 16, 2003, 68 FR 54167.	Submitted on October 16, 2002. See 40 CFR 52.220(c)(302)(i)(B)(*3*).
415	Circumvention	February 21, 2007	January 2, 2008, 73 FR 48.	Submitted on August 24, 2007. See 40 CFR 52.220(c)(351)(i)(B)(*2*).
416	Solvents	March 19, 2001	July 17, 2002, 67 FR 46876.	Amended on January 17, 2001. Submitted on May 8, 2001. See 40 CFR 52.220(c)(284)(i)(A)(*3*).
417	Storage of Organic Liquids	December 19, 2001	February 26, 2003, 68 FR 8835.	Submitted on March 15, 2002. See 40 CFR 52.220(c)(297)(i)(D)(*2*).
418	Transfer of Gasoline into Stationary Storage Containers.	March 21, 2007	January 2, 2008, 73 FR 48.	Submitted on August 24, 2007. See 40 CFR 52.220(c)(351)(i)(B)(*2*).
419	Bulk Gasoline Plants and Terminals	December 13, 2000	April 23, 2002, 67 FR 19682.	Submitted on May 8, 2001. See 40 CFR 52.220(c)(284)(i)(A)(*2*).
420	Effluent Oil Water Separators	August 25, 1993	February 9, 1996, 61 FR 4890.	Submitted on November 18, 1993. See 40 CFR 52.220(c)(194)(i)(F)(*3*).
421	Violations and Determinations of Compliance.	February 1, 1995	December 9, 2002, 67 FR 72842.	Amended on December 21, 1994. Submitted on February 24, 1995. See 40 CFR 52.220(c)(215)(i)(F)(*1*).
425	Use of Cutback Asphalt	March 26, 1997	May 26, 2000, 65 FR 34101.	Submitted on June 3, 1997. See 40 CFR 52.220(c)(258)(i)(A)(*3*).
426	Architectural Coatings	August 15, 2012	January 3, 2014, 79 FR 364.	Submitted on April 22, 2013. See 40 CFR 52.220(c)(429)(i)(C)(*1*).
427	Steam Drive Crude Oil Production Wells.	October 17, 2007	June 11, 2009, 74 FR 27714.	Submitted on March 7, 2008. See 40 CFR 52.220(c)(354)(i)(D)(*1*).
429	Applications of Nonarchitectural Coatings.	January 17, 2001	October 3, 2001, 66 FR 50319.	Submitted on May 8, 2001. See 40 CFR 52.220(c)(284)(i)(A)(*1*).
431	Emissions from Electric Power Boilers	October 17, 2001	April 8, 2002, 67 FR 16638.	Submitted on November 7, 2001. See 40 CFR 52.220(c)(292)(i)(A)(*1*).
433	Organic Solvent Cleaning	January 17, 2001	March 7, 2003, 68 FR 10966.	Submitted on May 8, 2001. See 40 CFR 52.220(c)(284)(i)(A)(*4*).
434	Coating of Metal Parts and Products	January 17, 2001	October 3, 2001, 66 FR 50319.	Submitted on May 8, 2001. See 40 CFR 52.220(c)(284)(i)(A)(*1*).
436	Title V: General Prohibitory Rule	November 6, 1996	July 1, 1999, 64 FR 35577.	Adopted on May 17, 1995. Submitted on August 10, 1995. See 40 CFR 52.220(c)(224)(i)(D)(*1*).
438	Open Outdoor Burning	September 15, 2004	April 25, 2005, 70 FR 21151.	Submitted on January 13, 2005. See 40 CFR 52.220(c)(335)(i)(A)(*2*).
Regulation V—Orchard, Field Crop, or Citrus Grove Heaters				
500	Definition	December 13, 1984	July 13, 1987, 52 FR 26148.	Submitted on February 6, 1985. See 40 CFR 52.220(c)(159)(iii)(A).
501	Non-Complying Heaters	December 13, 1984	July 13, 1987, 52 FR 26148.	Submitted on February 6, 1985. See 40 CFR 52.220(c)(159)(iii)(A).
502	Approved Orchard Heaters	December 13, 1984	July 13, 1987, 52 FR 26148.	Submitted on February 6, 1985. See 40 CFR 52.220(c)(159)(iii)(A).
503	Condition of Heaters	December 13, 1984	July 13, 1987, 52 FR 26148.	Submitted on February 6, 1985. See 40 CFR 52.220(c)(159)(iii)(A).
504	Classification of Heaters	December 13, 1984	July 13, 1987, 52 FR 26148.	Submitted on February 6, 1985. See 40 CFR 52.220(c)(159)(iii)(A).
505	Prohibition of Sale of Heaters	December 13, 1984	July 13, 1987, 52 FR 26148.	Submitted on February 6, 1985. See 40 CFR 52.220(c)(159)(iii)(A).
506	Burning Rubber and Other Substances.	December 13, 1984	July 13, 1987, 52 FR 26148.	Submitted on February 6, 1985. See 40 CFR 52.220(c)(159)(iii)(A).
Regulation VII—Air Emergencies				
700	General	December 13, 1984	July 13, 1987, 52 FR 26148.	Submitted on February 6, 1985. See 40 CFR 52.220(c)(159)(iii)(A).
701	Sampling Stations	December 13, 1984	July 13, 1987, 52 FR 26148.	Submitted on February 6, 1985. See 40 CFR 52.220(c)(159)(iii)(A).
702	Air Sampling	December 13, 1984	July 13, 1987, 52 FR 26148.	Submitted on February 6, 1985. See 40 CFR 52.220(c)(159)(iii)(A).
703	Reports	December 13, 1984	July 13, 1987, 52 FR 26148.	Submitted on February 6, 1985. See 40 CFR 52.220(c)(159)(iii)(A).
704	Continuing Program of Voluntary Cooperation.	December 13, 1984	July 13, 1987, 52 FR 26148.	Submitted on February 6, 1985. See 40 CFR 52.220(c)(159)(iii)(A).
705	Plans	December 13, 1984	July 13, 1987, 52 FR 26148.	Submitted on February 6, 1985. See 40 CFR 52.220(c)(159)(iii)(A).
706	Application of Rules	December 13, 1984	July 13, 1987, 52 FR 26148.	Submitted on February 6, 1985. See 40 CFR 52.220(c)(159)(iii)(A).
707	Episode Notification	December 13, 1984	July 13, 1987, 52 FR 26148.	Submitted on February 6, 1985. See 40 CFR 52.220(c)(159)(iii)(A).
708	Episode Criteria	December 13, 1984	July 13, 1987, 52 FR 26148.	Submitted on February 6, 1985. See 40 CFR 52.220(c)(159)(iii)(A).
709	First Stage Episode	December 13, 1984	July 13, 1987, 52 FR 26148.	Submitted on February 6, 1985. See 40 CFR 52.220(c)(159)(iii)(A).
710	Second Stage Episode	December 13, 1984	July 13, 1987, 52 FR 26148.	Submitted on February 6, 1985. See 40 CFR 52.220(c)(159)(iii)(A).
711	Third Stage Episode	December 13, 1984	July 13, 1987, 52 FR 26148.	Submitted on February 6, 1985. See 40 CFR 52.220(c)(159)(iii)(A).
712	Termination of Episodes	December 13, 1984	July 13, 1987, 52 FR 26148.	Submitted on February 6, 1985. See 40 CFR 52.220(c)(159)(iii)(A).

TABLE 22—EPA-APPROVED MONTEREY BAY AIR RESOURCES DISTRICT REGULATIONS—Continued

District citation	Title/subject	State effective date	EPA approval date	Additional explanation
713	Enforcement	December 13, 1984	July 13, 1987, 52 FR 26148.	Submitted on February 6, 1985. See 40 CFR 52.220(c)(159)(iii)(A).
Regulation X—Toxic Air Contaminants				
1002	Transfer of Gasoline into Vehicle Fuel Tanks.	December 17, 2014	September 25, 2015, 80 FR 57725.	Submitted on April 7, 2015. See 40 CFR 52.220(c)(461)(i)(A)(*1*).
Appendices to Rules and Regulations				
Appendix G	Determining Conformity of General Federal Actions to State or Federal Implementation Plans.	October 19, 1994	April 23, 1999, 64 FR 19916.	Submitted on November 30, 1994. See 40 CFR 52.220(c)(207)(i)(E)(*2*).
Air Pollution Rules and Regulations (Monterey County and Santa Cruz County Portion of District)				
Regulation IV—Prohibitions				
404 (paragraph (c) only)	Specific Air Contaminants	July 1, 1971	May 31, 1972, 37 FR 10842.	Adopted by the Monterey-Santa Cruz County Unified Air Pollution Control District. Submitted on February 21, 1972. See 40 CFR 52.220(b). Applies only to sources in Monterey and Santa Cruz Counties. See 42 FR 56605 (October 27, 1977) and 40 CFR 52.277(a)(1)(i)(A).
413	Separation of Emissions	July 1, 1971	May 31, 1972, 37 FR 10842.	Adopted by the Monterey-Santa Cruz County Unified Air Pollution Control District. Submitted on February 21, 1972. See 40 CFR 52.220(b). Applies only to sources in Monterey and Santa Cruz Counties.
414	Combination of Emissions	July 1, 1971	May 31, 1972, 37 FR 10842.	Adopted by the Monterey-Santa Cruz County Unified Air Pollution Control District. Submitted on February 21, 1972. See 40 CFR 52.220(b). Applies only to sources in Monterey and Santa Cruz Counties.
Air Pollution Rules and Regulations (San Benito County Portion of District)				
Regulation IV—Prohibitions				
406	Separation of Emissions	August 1, 1971	May 31, 1972, 37 FR 10842.	Adopted by the San Benito County Air Pollution Control District. Submitted on February 21, 1972. See 40 CFR 52.220(b). Applies only to sources in San Benito County.
407	Combination of Emissions	August 1, 1971	May 31, 1972, 37 FR 10842.	Adopted by the San Benito County Air Pollution Control District. Submitted on February 21, 1972. See 40 CFR 52.220(b). Applies only to sources in San Benito County.
408 (paragraph (b) only)	Specific Air Contaminants	August 1, 1971	May 31, 1972, 37 FR 10842.	Adopted by the San Benito County Air Pollution Control District. Submitted on February 21, 1972. See 40 CFR 52.220(b). Applies only to sources in San Benito County. See 42 FR 56605 (October 27, 1977) and 40 CFR 52.277(a)(1)(i)(B).

TABLE 23—EPA-APPROVED NORTH COAST UNIFIED AIR QUALITY MANAGEMENT DISTRICT REGULATIONS; DEL NORTE COUNTY AIR POLLUTION CONTROL DISTRICT REGULATIONS; HUMBOLDT COUNTY AIR POLLUTION CONTROL DISTRICT REGULATIONS; TRINITY COUNTY AIR POLLUTION CONTROL DISTRICT REGULATIONS

District citation	Title/subject	State effective date	EPA approval date	Additional explanation
Original Codification of Rules and Regulations (District-Wide Applicability)				
Regulation 1 (Air Quality Control Rules), Chapter II—Permits				
200(a), (b), (c)(1)–(2), and (d).	Permit Requirements	October 12, 1983	July 31, 1985, 50 FR 30941.	Submitted on March 14, 1984. See 40 CFR 52.220(c)(153)(ii)(B).
200(c)(3)–(6)	Permit Requirements	March 14, 1984	July 31, 1985, 50 FR 30941.	Submitted on July 10, 1984. See 40 CFR 52.220(c)(155)(v)(B).
220(a) and (b)	New Source Review Standards (Including PSD Evaluations).	March 14, 1984	July 31, 1985, 50 FR 30941.	Paragraphs (a) and (b) are entitled ''Emission Analysis,'' and ''New Source Review Procedure,'' respectively. Submitted on July 10, 1984. See 40 CFR 52.220(c)(155)(v)(B).
220(c)	New Source Review Standards (Including PSD Evaluations).	October 12, 1983	July 31, 1985, 50 FR 30941.	Paragraph (c) is titled ''Power Plant Review Procedures.'' Submitted on March 14, 1984. See 40 CFR 52.220(c)(153)(ii)(B).

TABLE 23—EPA-APPROVED NORTH COAST UNIFIED AIR QUALITY MANAGEMENT DISTRICT REGULATIONS; DEL NORTE COUNTY AIR POLLUTION CONTROL DISTRICT REGULATIONS; HUMBOLDT COUNTY AIR POLLUTION CONTROL DISTRICT REGULATIONS; TRINITY COUNTY AIR POLLUTION CONTROL DISTRICT REGULATIONS—Continued

District citation	Title/subject	State effective date	EPA approval date	Additional explanation
240	Permit to Operate	October 12, 1983	December 5, 1984, 49 FR 47490.	The introductory paragraph of paragraph (e) was superseded by approval of a revised paragraph at 50 FR 19529 (May 9, 1985). Submitted on March 14, 1984. See 40 CFR 52.220(c)(153)(ii)(A).
240(e)	Permit to Operate	August 10, 1984	May 9, 1985, 50 FR 19529.	Only the introductory paragraph of paragraph (e) was submitted and approved. Submitted on October 19, 1984. See 40 CFR 52.220(c)(156)(iii)(B).
260	Exclusions	October 12, 1983	July 31, 1985, 50 FR 30941.	Submitted on March 14, 1984. See 40 CFR 52.220(c)(153)(ii)(B).
Recodification of Rules and Regulations (District-Wide Applicability)				
Regulation I—General Provisions, Permits and Prohibitions				
100	General Provisions	May 19, 2005	May 6, 2009, 74 FR 20874.	Submitted on July 18, 2008. See 40 CFR 52.220(c)(359)(i)(A)(*3*).
101	Definitions	May 15, 2008	May 6, 2009, 74 FR 20874.	Submitted on July 18, 2008. See 40 CFR 52.220(c)(359)(i)(A)(*4*).
104.2	Visible Emissions	May 19, 2005	May 6, 2009, 74 FR 20877.	Submitted on July 18, 2008. See 40 CFR 52.220(c)(359)(i)(A)(*1*).
104.3	Particulate Matter	May 19, 2005	May 6, 2009, 74 FR 20877.	Submitted on July 18, 2008. See 40 CFR 52.220(c)(359)(i)(A)(*1*).
104.4	Fugitive Dust Emissions	May 19, 2005	May 6, 2009, 74 FR 20877.	Submitted on July 18, 2008. See 40 CFR 52.220(c)(359)(i)(A)(*1*).
104.10	Petroleum Loading and Storage	May 19, 2005	May 6, 2009, 74 FR 20877.	Submitted on July 18, 2008. See 40 CFR 52.220(c)(359)(i)(A)(*1*).
108	Severability of Rules and Regulations	May 19, 2005	May 6, 2009, 74 FR 20874.	Submitted on July 18, 2008. See 40 CFR 52.220(c)(359)(i)(A)(*5*).
Regulation II—Open Burning				
200	Effective Date and Definitions	May 15, 2008	May 6, 2009, 74 FR 20877.	Submitted on July 18, 2008. See 40 CFR 52.220(c)(359)(i)(A)(*2*).
201	General Prohibitions and Exemptions for Selected Open Burning.	May 17, 2007	May 6, 2009, 74 FR 20877.	Submitted on July 18, 2008. See 40 CFR 52.220(c)(359)(i)(A)(*2*).
202	Burn Hours and Notice of Ignition	May 15, 2008	May 6, 2009, 74 FR 20877.	Submitted on July 18, 2008. See 40 CFR 52.220(c)(359)(i)(A)(*2*).
203	General Burn Practices, Requirements, and Conditions.	May 15, 2008	May 6, 2009, 74 FR 20877.	Submitted on July 18, 2008. See 40 CFR 52.220(c)(359)(i)(A)(*2*).
204	Ignition Devices and Methods	May 15, 2008	May 6, 2009, 74 FR 20877.	Submitted on July 18, 2008. See 40 CFR 52.220(c)(359)(i)(A)(*2*).
205	Certificates from Department of Fish and Game.	July 18, 2003	May 6, 2009, 74 FR 20877.	Submitted on July 18, 2008. See 40 CFR 52.220(c)(359)(i)(A)(*2*).
206	Burning at Disposal Sites	December 16, 2004	May 6, 2009, 74 FR 20877.	Submitted on July 18, 2008. See 40 CFR 52.220(c)(359)(i)(A)(*2*).
207	Wildland Vegetation Management Burning.	May 15, 2008	May 6, 2009, 74 FR 20877.	Submitted on July 18, 2008. See 40 CFR 52.220(c)(359)(i)(A)(*2*).
208	Burn Registration Program	December 16, 2004	May 6, 2009, 74 FR 20877.	Submitted on July 18, 2008. See 40 CFR 52.220(c)(359)(i)(A)(*2*).
Appendices to North Coast Unified AQMD Rules and Regulations				
A	Humboldt Bay Air Basin	March 14, 1984	January 29, 1985, 50 FR 3906.	Submitted on July 10, 1984. See 40 CFR 52.220(c)(155)(v)(A).
B (excluding paragraph (D)(1)(e)).	Continuous Monitoring	October 12, 1983	December 5, 1984, 49 FR 47490.	Paragraph (d)(1)(e) refers to monitoring systems for kraft pulp mills. Submitted on March 14, 1984. See 40 CFR 52.220(c)(153)(ii)(A).
Original Codification of Rules and Regulations (Del Norte County portion of the District)				
22(a)	Action on Applications	September 27, 1971	May 31, 1972, 37 FR 10842.	Paragraph (a) is titled "Approval." The rest of Rule 22 has been superseded. Submitted on February 21, 1972. See 40 CFR 52.220(b).
23	Appeals	September 27, 1971	May 31, 1972, 37 FR 10842.	Submitted on February 21, 1972. See 40 CFR 52.220(b).
Re-codification of Rules and Regulations (Del Norte County portion of the District)				
Chapter II—Permits				
230	Action on Applications	December 14, 1981	July 31, 1985, 50 FR 30941.	Submitted on August 6, 1982. See 40 CFR 52.220(c)(124)(vi)(B).

TABLE 23—EPA-APPROVED NORTH COAST UNIFIED AIR QUALITY MANAGEMENT DISTRICT REGULATIONS; DEL NORTE COUNTY AIR POLLUTION CONTROL DISTRICT REGULATIONS; HUMBOLDT COUNTY AIR POLLUTION CONTROL DISTRICT REGULATIONS; TRINITY COUNTY AIR POLLUTION CONTROL DISTRICT REGULATIONS—Continued

District citation	Title/subject	State effective date	EPA approval date	Additional explanation
Chapter IV—Prohibitions				
400(b)	General Limitations	August 9, 1976	June 14, 1978, 43 FR 25677.	Paragraph (b) is titled "Circumvention." Submitted on November 10, 1976. See 40 CFR 52.220(c)(35)(ix)(C).
440	Sulfur Oxide Emissions	August 9, 1976	June 14, 1978, 43 FR 25677.	Submitted on November 10, 1976. See 40 CFR 52.220(c)(35)(ix)(C).
455(a) and (d)	Geothermal Emission Standards	July 25, 1977	November 7, 1978, 43 FR 51767.	Paragraph (a) establishes an SO_2 concentration limit, and paragraph (d) is titled "Compliance Verification." Submitted on November 4, 1977. See 40 CFR 52.220(c)(42)(xv)(A).
470	Reduction of Animal Matter	August 9, 1976	June 14, 1978, 43 FR 25677.	Submitted on November 10, 1976. See 40 CFR 52.220(c)(35)(ix)(C).
480	Orchard, Vineyard, and Citrus Grove Heaters.	August 9, 1976	June 14, 1978, 43 FR 25677.	Submitted on November 10, 1976. See 40 CFR 52.220(c)(35)(ix)(C).
Chapter V—Enforcement and Penalty Actions				
510	Orders for Abatement	August 9, 1976	June 14, 1978, 43 FR 25677.	Submitted on November 10, 1976. See 40 CFR 52.220(c)(35)(ix)(C).
540	Equipment Breakdown	February 26, 1979	October 31, 1980, 45 FR 72147.	Submitted on May 23, 1979. See 40 CFR 52.220(c)(51)(iii)(A).
Original Codification of Rules and Regulations (Humboldt County portion of the District)				
2	Definitions	September 22, 1970	May 31, 1972, 37 FR 10842.	All the definitions have been superseded or otherwise are no longer relied upon except for "non-condensibles," which is relied upon by SIP Rule 57 (Sulfide Emission Standard). Submitted on February 21, 1972. See 40 CFR 52.220(b).
10(e)	Permits Required	September 22, 1970	May 31, 1972, 37 FR 10842.	Paragraph (e) is titled "Alteration of Permit." The rest of Rule 10 has been superseded. Submitted on February 21, 1972. See 40 CFR 52.220(b).
54	Incinerator Burning	September 22, 1970	May 31, 1972, 37 FR 10842.	Submitted on February 21, 1972. See 40 CFR 52.220(b).
57	Sulfide Emission Standard	May 2, 1972	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
Re-codification of Rules and Regulations (Humboldt County portion of the District)				
Chapter II—Permits				
210	Environmental Assessment	September 30, 1980	June 18, 1982, 47 FR 26379.	Submitted on March 23, 1981. See 40 CFR 52.220(c)(95)(vi)(A).
230	Action on Applications	December 8, 1981	July 31, 1985, 50 FR 30941.	Submitted on August 6, 1982. See 40 CFR 52.220(c)(124)(vii)(B).
Chapter IV—Prohibitions				
400(b)	General Limitations	July 13, 1976	August 2, 1978, 43 FR 33912.	Paragraph (b) is titled "Circumvention." Submitted on November 10, 1976. See 40 CFR 52.220(c)(35)(xiv)(C).
440	Sulfur Oxide Emissions	July 13, 1976	August 2, 1978, 43 FR 33912.	Submitted on November 10, 1976. See 40 CFR 52.220(c)(35)(xiv)(C).
455(a) and (d)	Geothermal Emission Standards	June 28, 1977	December 19, 1978, 43 FR 59063.	Paragraph (a) establishes an SO_2 concentration limit, and paragraph (d) is titled "Compliance Verification." Submitted on November 4, 1977. See 40 CFR 52.220(c)(42)(xvii)(A).
470	Reduction of Animal Matter	July 13, 1976	August 2, 1978, 43 FR 33912.	Submitted on November 10, 1976. See 40 CFR 52.220(c)(35)(xiv)(C).
480	Orchard, Vineyard, and Citrus Grove Heaters.	July 13, 1976	August 2, 1978, 43 FR 33912.	Submitted on November 10, 1976. See 40 CFR 52.220(c)(35)(xiv)(C).
Chapter V—Enforcement and Penalty Actions				
540	Equipment Breakdown	December 19, 1978	October 31, 1980, 45 FR 72147.	Submitted on May 23, 1979. See 40 CFR 52.220(c)(51)(iv)(A).
Original Codification of Rules and Regulations (Trinity County portion of the District)				
14	Alteration of Permit	May 5, 1972	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
20	Approval	May 5, 1972	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).

TABLE 23—EPA-APPROVED NORTH COAST UNIFIED AIR QUALITY MANAGEMENT DISTRICT REGULATIONS; DEL NORTE COUNTY AIR POLLUTION CONTROL DISTRICT REGULATIONS; HUMBOLDT COUNTY AIR POLLUTION CONTROL DISTRICT REGULATIONS; TRINITY COUNTY AIR POLLUTION CONTROL DISTRICT REGULATIONS—Continued

District citation	Title/subject	State effective date	EPA approval date	Additional explanation
25	Appeals	May 5, 1972	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
Re-codification of Rules and Regulations (Trinity County portion of the District				
Chapter II—Permits				
230	Action on Applications	December 7, 1981	July 31, 1985, 50 FR 30941.	Submitted on August 6, 1982. See 40 CFR 52.220(c)(124)(x)(B).
Chapter IV—Prohibitions				
400(b)	General Limitations	July 12, 1976	August 18, 1978, 43 FR 36625.	Paragraph (b) is titled "Circumvention." Submitted on November 10, 1976. See 40 CFR 52.220(c)(35)(xvii)(C).
440	Sulfur Oxide Emissions	July 12, 1976	August 18, 1978, 43 FR 36625.	Submitted on November 10, 1976. See 40 CFR 52.220(c)(35)(xvii)(C).
455(a) and (d)	Geothermal Emission Standards	June 27, 1977	December 21, 1978, 43 FR 59491.	Paragraph (a) establishes an SO_2 concentration limit, and paragraph (d) is titled "Compliance Verification." Submitted on November 4, 1977. See 40 CFR 52.220(c)(42)(xx)(A).
470	Reduction of Animal Matter	July 12, 1976	August 18, 1978, 43 FR 36625.	Submitted on November 10, 1976. See 40 CFR 52.220(c)(35)(xvii)(C).
480	Orchard, Vineyard, and Citrus Grove Heaters.	July 12, 1976	August 18, 1978, 43 FR 36625.	Submitted on November 10, 1976. See 40 CFR 52.220(c)(35)(xvii)(C).
Chapter V—Enforcement and Penalty Actions				
540	Equipment Breakdown	January 15, 1979	October 31, 1980, 45 FR 72147.	Submitted on May 23, 1979. See 40 CFR 52.220(c)(51)(vi)(A).

TABLE 24—EPA-APPROVED NORTHERN SIERRA AIR QUALITY MANAGEMENT DISTRICT REGULATIONS; NEVADA COUNTY AIR POLLUTION CONTROL DISTRICT REGULATIONS; PLUMAS COUNTY AIR POLLUTION CONTROL DISTRICT REGULATIONS; SIERRA COUNTY AIR POLLUTION CONTROL DISTRICT REGULATIONS

District citation	Title/subject	State effective date	EPA approval date	Additional explanation
Rules and Regulations (District-Wide Applicability)				
Regulation I—General Provisions, Permits and Prohibitions				
101	Title	September 11, 1991	September 16, 1997, 62 FR 48480.	Submitted on October 28, 1996. See 40 CFR 52.220(c)(246)(i)(A)(*1*).
102	Definitions	May 11, 1994	September 16, 1997, 62 FR 48480.	Submitted on October 28, 1996. See 40 CFR 52.220(c)(246)(i)(A)(*1*).
Regulation II—Prohibitions				
202	Visible Emissions	September 11, 1991	September 16, 1997, 62 FR 48480.	Submitted on October 28, 1996. See 40 CFR 52.220(c)(246)(i)(A)(*1*).
203	Exceptions	September 11, 1991	September 16, 1997, 62 FR 48480.	Submitted on October 28, 1996. See 40 CFR 52.220(c)(246)(i)(A)(*1*).
204	Wet Plumes	September 11, 1991	September 16, 1997, 62 FR 48480.	Submitted on October 28, 1996. See 40 CFR 52.220(c)(246)(i)(A)(*1*).
206	Incinerator Burning	September 11, 1991	September 16, 1997, 62 FR 48480.	Submitted on October 28, 1996. See 40 CFR 52.220(c)(246)(i)(A)(*1*).
207	Particulate Matter	September 11, 1991	September 16, 1997, 62 FR 48480.	Submitted on October 28, 1996. See 40 CFR 52.220(c)(246)(i)(A)(*1*).
208	Orchard or Citrus Heaters	September 11, 1991	September 16, 1997, 62 FR 48480.	Submitted on October 28, 1996. See 40 CFR 52.220(c)(246)(i)(A)(*1*).
209	Fossil Fuel-Steam Generator Facility	September 11, 1991	September 16, 1997, 62 FR 48480.	Submitted on October 28, 1996. See 40 CFR 52.220(c)(246)(i)(A)(*1*).
210	Specific Contaminants	September 11, 1991	September 16, 1997, 62 FR 48480.	Submitted on October 28, 1996. See 40 CFR 52.220(c)(246)(i)(A)(*1*).
211	Process Weight Per Hour	September 11, 1991	May 18, 1999, 64 FR 26876.	Submitted on October 28, 1996. See 40 CFR 52.220(c)(246)(i)(A)(*2*).

TABLE 24—EPA-APPROVED NORTHERN SIERRA AIR QUALITY MANAGEMENT DISTRICT REGULATIONS; NEVADA COUNTY AIR POLLUTION CONTROL DISTRICT REGULATIONS; PLUMAS COUNTY AIR POLLUTION CONTROL DISTRICT REGULATIONS; SIERRA COUNTY AIR POLLUTION CONTROL DISTRICT REGULATIONS—Continued

District citation	Title/subject	State effective date	EPA approval date	Additional explanation
212	Process Weight Table	September 11, 1991	September 16, 1997, 62 FR 48480.	Submitted on October 28, 1996. The regulatory text for approval of Rule 212 was added at 84 FR 45422 (August 29, 2019). See 40 CFR 52.220(c)(246)(i)(A)(*1*) and (*6*).
214	Phase I Vapor Recovery Requirements.	April 25, 2011	January 7, 2013, 78 FR 897.	Submitted on September 27, 2011. See 40 CFR 52.220(c)(404)(i)(B)(*2*).
215	Phase II Vapor Recovery System Requirements.	February 22, 2010	July 26, 2011, 76 FR 44493.	Submitted on July 20, 2010. See 40 CFR 52.220(c)(381)(i)(D)(*1*).
221	Reduction of Animal Matter	September 11, 1991	September 16, 1997, 62 FR 48480.	Submitted on October 28, 1996. See 40 CFR 52.220(c)(246)(i)(A)(*1*).
222	Abrasive Blasting	September 11, 1991	September 16, 1997, 62 FR 48480.	Submitted on October 28, 1996. See 40 CFR 52.220(c)(246)(i)(A)(*1*).
225	Compliance Tests	September 11, 1991	September 16, 1997, 62 FR 48480.	Submitted on October 28, 1996. See 40 CFR 52.220(c)(246)(i)(A)(*1*).
227	Cutback and Emulsified Asphalt	November 27, 2006	October 30, 2009, 74 FR 56120.	Submitted on March 7, 2008. See 40 CFR 52.220(c)(354)(i)(G)(*1*).
228	Surface Coating of Metal Parts and Products.	April 25, 2011	August 9, 2012, 77 FR 47536.	Submitted on September 27, 2011. See 40 CFR 52.220(c)(404)(i)(B)(*1*).
Regulation III—Open Burning				
300	General Definitions	September 11, 1991	September 16, 1997, 62 FR 48480.	Submitted on October 28, 1996. See 40 CFR 52.220(c)(246)(i)(A)(*1*).
301	Compliance	September 11, 1991	September 16, 1997, 62 FR 48480.	Submitted on October 28, 1996. See 40 CFR 52.220(c)(246)(i)(A)(*1*).
302	Prohibited Open Burning	November 10, 1988	August 19, 1999, 64 FR 45170.	Submitted on October 25, 1991. See 40 CFR 52.220(c)(186)(i)(F)(*1*).
303	Allowed Open Burning	November 10, 1988	August 19, 1999, 64 FR 45170.	Submitted on October 25, 1991. See 40 CFR 52.220(c)(186)(i)(F)(*1*).
304	Agricultural Burning	November 10, 1988	August 19, 1999, 64 FR 45170.	Submitted on October 25, 1991. See 40 CFR 52.220(c)(186)(i)(F)(*1*).
305	Range Improvement Burning	November 10, 1988	August 19, 1999, 64 FR 45170.	Submitted on October 25, 1991. See 40 CFR 52.220(c)(186)(i)(F)(*1*).
306	Forest Management Burning	November 10, 1988	August 19, 1999, 64 FR 45170.	Submitted on October 25, 1991. See 40 CFR 52.220(c)(186)(i)(F)(*1*).
307	Wildlands Vegetation Management Burning.	November 10, 1988	August 19, 1999, 64 FR 45170.	Submitted on October 25, 1991. See 40 CFR 52.220(c)(186)(i)(F)(*1*).
308	Land Development Clearing	November 10, 1988	August 19, 1999, 64 FR 45170.	Submitted on October 25, 1991. See 40 CFR 52.220(c)(186)(i)(F)(*1*).
309	Ditch, Road and Right-of-Way Maintenance.	November 10, 1988	August 19, 1999, 64 FR 45170.	Submitted on October 25, 1991. See 40 CFR 52.220(c)(186)(i)(F)(*1*).
310	Hazard Reduction	November 10, 1988	August 19, 1999, 64 FR 45170.	Submitted on October 25, 1991. See 40 CFR 52.220(c)(186)(i)(F)(*1*).
311	Residential Maintenance	November 10, 1988	August 19, 1999, 64 FR 45170.	Submitted on October 25, 1991. See 40 CFR 52.220(c)(186)(i)(F)(*1*).
312	Burning Permits	November 10, 1988	August 19, 1999, 64 FR 45170.	Submitted on October 25, 1991. See 40 CFR 52.220(c)(186)(i)(F)(*1*).
313	Burn Day	June 10, 1992	September 16, 1997, 62 FR 48480.	Submitted on October 28, 1996. See 40 CFR 52.220(c)(246)(i)(A)(*1*).
314	Minimum Drying Times	September 11, 1991	September 16, 1997, 62 FR 48480.	Submitted on October 28, 1996. See 40 CFR 52.220(c)(246)(i)(A)(*1*).
315	Burning Management Requirements	September 11, 1991	September 16, 1997, 62 FR 48480.	Submitted on October 28, 1996. See 40 CFR 52.220(c)(246)(i)(A)(*1*).
316	Burn Plan Preparation	August 14, 1996	September 16, 1997, 62 FR 48480.	Submitted on October 28, 1996. See 40 CFR 52.220(c)(246)(i)(A)(*1*).
317	Mechanized Burners Requirements	September 11, 1991	September 16, 1997, 62 FR 48480.	Submitted on October 28, 1996. See 40 CFR 52.220(c)(246)(i)(A)(*1*).
Regulation IV—Authority to Construct				
428	NSR Requirements for New and Modified Major Sources in Nonattainment Areas.	November 25, 2019	November 20, 2020, 85 FR 74263.	Submitted on February 19, 2020. See 40 CFR 52.220(c)(546)(i)(A)(*1*).
Regulation V—Permit to Operate Regulations				
501	Permit Required	May 11, 1994	July 9, 2008, 73 FR 39237.	Submitted on October 28, 1996. See 40 CFR 52.220(c)(246)(i)(A)(*5*).

TABLE 24—EPA-APPROVED NORTHERN SIERRA AIR QUALITY MANAGEMENT DISTRICT REGULATIONS; NEVADA COUNTY AIR POLLUTION CONTROL DISTRICT REGULATIONS; PLUMAS COUNTY AIR POLLUTION CONTROL DISTRICT REGULATIONS; SIERRA COUNTY AIR POLLUTION CONTROL DISTRICT REGULATIONS—Continued

District citation	Title/subject	State effective date	EPA approval date	Additional explanation
505	Conditional Approval	September 11, 1991	July 9, 2008, 73 FR 39237.	Submitted on October 28, 1996. See 40 CFR 52.220(c)(246)(i)(A)(*4*).
510	Separation of Emissions	September 11, 1991	July 9, 2008, 73 FR 39237.	Submitted on October 28, 1996. See 40 CFR 52.220(c)(246)(i)(A)(*4*).
511	Combination of Emissions	September 11, 1991	July 9, 2008, 73 FR 39237.	Submitted on October 28, 1996. See 40 CFR 52.220(c)(246)(i)(A)(*4*).
512	Circumvention	September 11, 1991	July 9, 2008, 73 FR 39237.	Submitted on October 28, 1996. See 40 CFR 52.220(c)(246)(i)(A)(*4*).
513	Emissions Statements and Record-keeping.	June 27, 2016	June 21, 2017, 82 FR 28240.	Submitted on September 6, 2016. See 40 CFR 52.220(c)(487)(i)(A)(*1*).
515	Provision of Sampling and Testing Facilities.	September 11, 1991	July 9, 2008, 73 FR 39237.	Submitted on October 28, 1996. See 40 CFR 52.220(c)(246)(i)(A)(*4*).
517	Transfer	September 11, 1991	July 9, 2008, 73 FR 39237.	Submitted on October 28, 1996. See 40 CFR 52.220(c)(246)(i)(A)(*4*).
Northern Sierra Air District Resolutions				
Resolution #2017–01	In the Matter of: Adopting the Portola Fine Particulate Matter ($PM_{2.5}$) Attainment Plan (Portola Plan) as required by the Federal Clean Air Act.	January 23, 2017	April 2, 2018, 83 FR 13871.	Submitted on February 28, 2017. See 40 CFR 52.220(c)(500)(i)(A)(*1*).
Resolution #2020–01	Ozone Emergency Episode Plan	February 24, 2020	March 30, 2021, 86 FR 16533.	Submitted on June 25, 2020 as an attachment to a letter dated June 16, 2020. See 40 CFR 52.220(c)(552)(i)(C)(*1*).
Original Codification of Rules and Regulations (Nevada County portion of the District)				
10	Construction Permit Required	June 30, 1971	May 31, 1972, 37 FR 10842.	Submitted on February 21, 1972. See 40 CFR 52.220(b).
12	Exemptions from Permit and Registration.	June 30, 1971	May 31, 1972, 37 FR 10842.	Submitted on February 21, 1972. See 40 CFR 52.220(b).
15	Standards for Granting Applications and Building Permits.	June 30, 1971	May 31, 1972, 37 FR 10842.	Submitted on February 21, 1972. See 40 CFR 52.220(b).
Re-codification of Rules and Regulations (Nevada County portion of the District)				
404 (excluding paragraph (D)).	Upset Conditions, Breakdown or Scheduled Maintenance.	May 7, 1979	May 18, 1981, 46 FR 27115.	Submitted on October 15, 1979. See 40 CFR 52.220(c)(52)(xii)(A) and (B). Paragraph (D) (''Emergency Variance Procedures'') was deleted without replacement at 62 FR 34641 (June 27, 1997). Rule 404 (excluding paragraph (D)) was reinstated at 84 FR 45422 (August 29, 2019).
409	Public Records	January 4, 1977	September 14, 1978, 43 FR 41039.	Submitted on June 6, 1977. See 40 CFR 52.220(c)(39)(x)(A).
Original Codification of Rules and Regulations (Plumas County portion of the District)				
Regulation II—Permits				
10	Permits Required	April 18, 1972	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
11	Exemptions	April 18, 1972	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
12	Transfer	April 18, 1972	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
14	Applications	April 18, 1972	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
17	Cancellation of Applications	April 18, 1972	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
18	Action on Applications	April 18, 1972	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
20	Standards for Granting Applications	April 18, 1972	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
21	Conditional Approval	April 18, 1972	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
22	Denial of Applications	April 18, 1972	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).

TABLE 24—EPA-APPROVED NORTHERN SIERRA AIR QUALITY MANAGEMENT DISTRICT REGULATIONS; NEVADA COUNTY AIR POLLUTION CONTROL DISTRICT REGULATIONS; PLUMAS COUNTY AIR POLLUTION CONTROL DISTRICT REGULATIONS; SIERRA COUNTY AIR POLLUTION CONTROL DISTRICT REGULATIONS—Continued

District citation	Title/subject	State effective date	EPA approval date	Additional explanation
23	Further Information	April 18, 1972	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
24	Applications Deemed Denied	April 18, 1972	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
Regulation IV—Prohibitions				
56 (excluding paragraph (a)).	Sulfur Oxide Emissions	April 18, 1972	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6). Paragraph (a) was superseded by approval of NSAQMD Rule 210 (Specific Contaminants) (paragraph (A)) at 62 FR 48480 (September 16, 1997).
57	Sulfide Emission Standard	April 18, 1972	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
Re-codification of Rules and Regulations (Plumas County portion of the District)				
Regulation IV—Permit Systems Conditions				
401	Responsibility	January 10, 1975	June 14, 1978, 43 FR 25680.	Submitted on January 10, 1975. See 40 CFR 52.220(c)(26)(xvi)(B).
402	Authority to Inspect	December 12, 1976	September 14, 1978, 43 FR 41037.	Submitted on June 6, 1977. See 40 CFR 52.220(c)(39)(ix)(A).
403	Responsibility of Permittee	January 10, 1975	June 14, 1978, 43 FR 25680.	Submitted on January 10, 1975. See 40 CFR 52.220(c)(26)(xvi)(B).
Regulation V—Permit to Operate Regulations				
502	Exemptions from Rule 501	March 1, 1981	June 18, 1982, 47 FR 26379.	Submitted on June 22, 1981. See 40 CFR 52.220(c)(93)(iii)(B).
514	Public Records and Trade Secrets	March 1, 1981	April 23, 1982, 47 FR 17486.	Submitted on June 22, 1981. See 40 CFR 52.220(c)(93)(iii)(A).
516 (excluding paragraph (C)).	Upset and Breakdown Conditions	March 1, 1981	April 23, 1982, 47 FR 17486.	Submitted on June 22, 1981. See 40 CFR 52.220(c)(93)(iii)(A) and (F). Paragraph (C) (''Emergency Variance Procedures'') was deleted without replacement at 84 FR 45422 (August 29, 2019).
Original Codification of Rules and Regulations (Sierra County portion of the District)				
Part I—General Provisions				
5	Validity	October 19, 1971	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
Part III—Applications, Permits and Registration				
17	Construction Permit Required	October 19, 1971	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
20	Exemptions from Permit and Registration.	October 19, 1971	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
21	Standards for Granting Applications and Permits.	October 19, 1971	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
22	Conditional Approval	October 19, 1971	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
23	Denial of Applications	October 19, 1971	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
24	Further Information	October 19, 1971	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
25	Applications Deemed Denied	October 19, 1971	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).

TABLE 24—EPA-APPROVED NORTHERN SIERRA AIR QUALITY MANAGEMENT DISTRICT REGULATIONS; NEVADA COUNTY AIR POLLUTION CONTROL DISTRICT REGULATIONS; PLUMAS COUNTY AIR POLLUTION CONTROL DISTRICT REGULATIONS; SIERRA COUNTY AIR POLLUTION CONTROL DISTRICT REGULATIONS—Continued

District citation	Title/subject	State effective date	EPA approval date	Additional explanation
Re-codification of Rules and Regulations (Sierra County portion of the District)				
Regulation IV—Permit Systems Conditions				
402	Authority to Inspect	June 6, 1977	September 14, 1978, 43 FR 41034.	Submitted on June 6, 1977. See 40 CFR 52.220(c)(39)(viii)(A).
Regulation V—Permit to Operate Regulations				
502	Exemptions from Rule 501	March 1, 1981	June 18, 1982, 47 FR 26379.	Submitted on June 22, 1981. See 40 CFR 52.220(c)(93)(iv)(B).
514	Public Records and Trade Secrets	March 1, 1981	April 23, 1982, 47 FR 17486.	Submitted on June 22, 1981. See 40 CFR 52.220(c)(93)(iv)(A).
516 (excluding paragraph (C)).	Upset and Breakdown Conditions	March 1, 1981	April 23, 1982, 47 FR 17486.	Submitted on June 22, 1981. See 40 CFR 52.220(c)(93)(iv)(A) and (G). Paragraph (C) (''Emergency Variance Procedures'') was deleted without replacement at 84 FR 45422 (August 29, 2019).
523	Permit Fees	March 1, 1981	April 23, 1982, 47 FR 17486.	Submitted on June 22, 1981. See 40 CFR 52.220(c)(93)(iv)(A).

TABLE 25—EPA-APPROVED NORTHERN SONOMA COUNTY AIR POLLUTION CONTROL DISTRICT REGULATIONS

District citation	Title/subject	State effective date	EPA approval date	Additional explanation
Original Codification of the Rules and Regulations				
1	Definitions	May 26, 1972	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
55.1	Sulfur Recovery Units	May 26, 1972	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
55.2	Sulfuric Acid Units	May 26, 1972	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
58	Disposal of Solid and Liquid Wastes	May 26, 1972	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
61	Organic Liquid Loading	May 26, 1972	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
65	Fuel Burning Equipment	May 26, 1972	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
66	Fuel Burning Equipment—Combustion Contaminants.	May 26, 1972	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
68	Emission Control for Used Motor Vehicles.	May 26, 1972	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
102	Episode Procedures	May 26, 1972	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
Re-Codification of the Rules and Regulations				
Regulation 1—Air Quality Control Rules				
Chapter I—General Provisions				
100	Title	June 6, 1976	August 16, 1978, 43 FR 36247.	Submitted on November 10, 1976. See 40 CFR 52.220(c)(35)(xvi)(B).
100	Title	February 22, 1984	April 17, 1987, 52 FR 12522.	Amended the second paragraph and added a fourth paragraph to Rule 100. Submitted on October 16, 1985. See 40 CFR 52.220(c)(164)(i)(B)(*1*).
110	Purpose	June 6, 1976	August 16, 1978, 43 FR 36247.	Submitted on November 10, 1976. See 40 CFR 52.220(c)(35)(xvi)(B).
120	Administration	February 22, 1984	April 17, 1987, 52 FR 12522.	Submitted on October 16, 1985. See 40 CFR 52.220(c)(164)(i)(B)(*1*).
130	Definitions	May 3, 2017	July 24, 2018, 83 FR 34949.	Submitted on June 12, 2017. See 40 CFR 52.220(c)(504)(i)(B)(*1*).
150	Public Records	June 6, 1976	August 16, 1978, 43 FR 36247.	Submitted on November 10, 1976. See 40 CFR 52.220(c)(35)(xvi)(B).

TABLE 25—EPA-APPROVED NORTHERN SONOMA COUNTY AIR POLLUTION CONTROL DISTRICT REGULATIONS—Continued

District citation	Title/subject	State effective date	EPA approval date	Additional explanation
160 (excluding paragraph (a) and non-criteria pollutants).	Ambient Air Quality Standards	June 6, 1976	August 16, 1978, 43 FR 36247.	Submitted on November 10, 1976. See 40 CFR 52.220(c)(35)(xvi)(B).
190	Validity	June 6, 1976	August 16, 1978, 43 FR 36247.	Submitted on November 10, 1976. See 40 CFR 52.220(c)(35)(xvi)(B).
	Chapter II—Permits			
200	Permits Required	November 14, 2014	October 6, 2016, 81 FR 69390.	Submitted on December 11, 2014. See 40 CFR 52.220(c)(480)(i)(A)(*2*).
220	New Source Review Standards (Including PSD Evaluations).	May 3, 2017	July 24, 2018, 83 FR 34949.	Submitted on June 12, 2017. See 40 CFR 52.220(c)(504)(i)(B)(*2*).
230	Action on Applications	May 3, 2017	July 24, 2018, 83 FR 34949.	Submitted on June 12, 2017. See 40 CFR 52.220(c)(504)(i)(B)(*3*).
240 (paragraphs (a), (b), and (c)).	Permit to Operate	November 19, 1983	October 6, 2016, 81 FR 69390.	Paragraph (a), (b), and (c) are titled ''Permit to Operate Required,'' ''Temporary Permit to Operate,'' and Permit to Operate,'' respectively. Submitted on October 16, 1985. See 40 CFR 52.220(c)(164)(i)(B)(*4*).
240 (paragraph (e))	Permit to Operate	February 22, 1984	October 6, 2016, 81 FR 69390.	Paragraph (e) is titled ''Compliance Verification.'' Submitted on October 16, 1985. See 40 CFR 52.220(c)(164)(i)(B)(*4*).
240 (paragraph (f))	Permit to Operate	February 22, 1984	October 6, 2016, 81 FR 69390.	Paragraph (f) is titled ''Mandatory Monitoring Requirements.'' Originally submitted on November 4, 1977 as paragraph (e) and approved at 43 FR 59488 (December 21, 1978). Redesignated as paragraph (f) but otherwise unchanged in the submittal dated October 16, 1985. See 40 CFR 52.220(c)(164)(i)(B)(*4*).
260	Exclusions	February 23, 1982	July 31, 1985, 50 FR 30941.	Submitted on August 6, 1982. See 40 CFR 52.220(c)(124)(ix)(B).
	Chapter 4—Prohibitions			
400 (paragraph (b))	General Limitations	June 6, 1976	August 16, 1978, 43 FR 36247.	Paragraph (b) is titled ''Circumvention.'' Submitted on November 10, 1976. See 40 CFR 52.220(c)(35)(xvi)(B).
410 (paragraphs (a) and (c) but excluding (c)(2)).	Visible Emissions	June 27, 1978	October 31, 1980, 45 FR 72147.	Submitted on May 7, 1979. See 40 CFR 52.220(c)(50)(v)(A).
420	Particulate Matter	June 27, 1978	October 31, 1980, 45 FR 72147.	Submitted on May 7, 1979. See 40 CFR 52.220(c)(50)(v)(A).
430	Fugitive Dust Emissions	June 6, 1976	August 16, 1978, 43 FR 36247.	Submitted on November 10, 1976. See 40 CFR 52.220(c)(35)(xvi)(B).
440	Sulfur Oxide Emissions	June 6, 1976	August 16, 1978, 43 FR 36247.	Submitted on November 10, 1976. See 40 CFR 52.220(c)(35)(xvi)(B).
455 (paragraphs (a) and (d)).	Geothermal Emission Standards	March 7, 1977	December 21, 1978, 43 FR 59488.	Submitted on October 13, 1977. See 40 CFR 52.220(c)(41)(xv)(A).
470	Reduction of Animal Matter	June 6, 1976	August 16, 1978, 43 FR 36247.	Submitted on November 10, 1976. See 40 CFR 52.220(c)(35)(xvi)(B).
480	Orchard, Vineyard, and Citrus Grove Heaters.	June 6, 1976	August 16, 1978, 43 FR 36247.	Submitted on November 10, 1976. See 40 CFR 52.220(c)(35)(xvi)(B).
482	Petroleum Loading and Storage	June 6, 1976	August 16, 1978, 43 FR 36247.	Submitted on November 10, 1976. See 40 CFR 52.220(c)(35)(xvi)(B).
	Chapter 5—Enforcement and Penalty Actions			
540	Equipment Breakdown	June 27, 1978	October 31, 1980, 45 FR 72147.	Submitted on May 7, 1979. See 40 CFR 52.220(c)(50)(v)(A).
	Appendices to Regulation I (Air Quality Control Rules)			
Appendix D	Continuous Monitoring	May 31, 1977	December 21, 1978, 43 FR 59488.	Submitted on November 4, 1977. See 40 CFR 52.220(c)(42)(xxi)(A).
	Regulation 2—Open Burning Procedures			
100	Scope and Policy	January 20, 1981	April 13, 1982, 47 FR 15784.	Submitted on March 23, 1981. See 40 CFR 52.220(c)(95)(iii)(A).
120	Definitions	January 20, 1981	April 13, 1982, 47 FR 15784.	Submitted on March 23, 1981. See 40 CFR 52.220(c)(95)(iii)(A).
140	Allowable Open Burning	January 20, 1981	April 13, 1982, 47 FR 15784.	Submitted on March 23, 1981. See 40 CFR 52.220(c)(95)(iii)(A).
200	Classifications of Open Burning	January 20, 1981	April 13, 1982, 47 FR 15784.	Submitted on March 23, 1981. See 40 CFR 52.220(c)(95)(iii)(A).
220	Notification of Burning Conditions and Forecasts.	January 20, 1981	April 13, 1982, 47 FR 15784.	Submitted on March 23, 1981. See 40 CFR 52.220(c)(95)(iii)(A).
240	Burning Permits and Reports	January 20, 1981	April 13, 1982, 47 FR 15784.	Submitted on March 23, 1981. See 40 CFR 52.220(c)(95)(iii)(A).
300	Burning Preparation and Restrictions	January 20, 1981	April 13, 1982, 47 FR 15784.	Submitted on March 23, 1981. See 40 CFR 52.220(c)(95)(iii)(A).

TABLE 25—EPA-APPROVED NORTHERN SONOMA COUNTY AIR POLLUTION CONTROL DISTRICT REGULATIONS—Continued

District citation	Title/subject	State effective date	EPA approval date	Additional explanation
320	Enforcement	January 20, 1981	April 13, 1982, 47 FR 15784.	Submitted on March 23, 1981. See 40 CFR 52.220(c)(95)(iii)(A).

TABLE 26—EPA-APPROVED PLACER COUNTY AIR POLLUTION CONTROL DISTRICT REGULATIONS

District citation	Title/subject	State effective date	EPA approval date	Additional explanation
[Reserved]				

TABLE 27—EPA-APPROVED SACRAMENTO METROPOLITAN AIR QUALITY MANAGEMENT DISTRICT REGULATIONS

District citation	Title/subject	State effective date	EPA approval date	Additional explanation
[Reserved]				

TABLE 28—EPA-APPROVED SAN DIEGO COUNTY AIR POLLUTION CONTROL DISTRICT REGULATIONS

District citation	Title/subject	State effective date	EPA approval date	Additional explanation
Regulation I—General Provisions				
1	Title	January 1, 1969	September 28, 1981, 46 FR 47451.	Submitted on June 2, 1980. See 40 CFR 52.220(c)(79)(v)(A).
2	Definitions	July 11, 2017	November 12, 2020, 85 FR 71846.	Submitted on November 13, 2017. See 40 CFR 52.220(c)(516)(i)(B)(*1*).
4	Review of Rules	September 22, 1969	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
Regulation II—Permits				
10	Permits Required	July 25, 1995	March 11, 1998, 63 FR 11831.	Submitted on March 3, 1997. See 40 CFR 52.220(c)(244)(i)(B)(*1*).
11	Exemptions from Rule 10 Permit Requirements.	October 13, 2022	October 21, 2024, 89 FR 84085.	Submitted on May 11, 2023 as an attachment to a letter dated May 10, 2023. See 40 CFR 52.220(c)(610)(i)(C)(*1*).
17 (paragraph (a))	Cancellation of Applications	November 25, 1981	March 11, 1998, 63 FR 11831.	Submitted on March 1, 1982. See 40 CFR 52.220(c)(121)(ii)(C).
17 (paragraphs (b), (c), and (d)).	Cancellation of Applications	March 30, 1977	September 28, 1981, 46 FR 47451.	Paragraph (a) was superseded by approval of Rule 17(a) at 63 FR 11831 (March 11, 1998). Submitted on June 2, 1980. See 40 CFR 52.220(c)(79)(v)(A).
19	Provision of Sampling and Testing Facilities.	April 6, 1993	March 11, 1998, 63 FR 11831.	Submitted on November 18, 1993. See 40 CFR 52.220(c)(194)(i)(E)(*2*).
19.2	Continuous Emission Monitoring Requirements.	April 20, 1977	August 31, 1978, 43 FR 38825.	Submitted on October 13, 1977. See 40 CFR 52.220(c)(41)(ii)(A).
19.2 (paragraph (d)(4))	Continuous Emission Monitoring Requirements.	December 13, 1978	September 28, 1981, 46 FR 47451.	Submitted on May 23, 1979. See 40 CFR 52.220(c)(51)(vii)(B).
19.3	Emission Information	December 9, 2021	March 18, 2025, 90 FR 12459.	Submitted on March 9, 2022, as an attachment to a letter dated March 9, 2022. See 40 CFR 52.220(c)(604)(i)(A)(*2*).
20	Standards for Granting Permits	April 25, 1989	October 4, 2018, 83 FR 50007.	Submitted on November 21, 1986. See 40 CFR 52.220(c)(171)(i)(E)(*1*).
20.1	New Source Review—General Provisions.	October 28, 2022	September 28, 2022, 87 FR 58729.	Adopted on October 14, 2021, effective upon EPA approval. Submitted on February 2, 2022 as an attachment to a letter dated January 31, 2022. See 40 CFR 52.220(c)(588)(i)(A)(*1*).
20.2 (except paragraphs (d)(2)(i)(B), (d)(2)(v), (d)(2)(vi)(B) and (d)(3)).	New Source Review—Non-Major Stationary Sources.	October 16, 2020	September 16, 2020, 85 FR 57727.	Adopted on June 26, 2019, effective upon EPA approval. Submitted on July 19, 2019. See 40 CFR 52.220(c)(539)(i)(A)(*2*).
20.3 (except subsections (d)(1)(vi), (d)(2)(i)(B), (d)(2)(v), (d)(2)(vi)(B) and (d)(3)).	New Source Review—Major Stationary Sources and PSD Stationary Sources.	October 28, 2022	September 28, 2022, 87 FR 58729.	Adopted on October 14, 2021, effective upon EPA approval. Submitted on February 2, 2022 as an attachment to a letter dated January 31, 2022. See 40 CFR 52.220(c)(588)(i)(A)(*2*).
20.4 (except subsections (b)(2), (b)(3), (d)(1)(iii), (d)(2)(i)(B), (d)(2)(iv), (d)(2)(v)(B), (d)(3) and (d)(5)).	New Source Review—Portable Emission Units.	October 28, 2022	September 28, 2022, 87 FR 58729.	Adopted on October 14, 2021, effective upon EPA approval. Submitted on February 2, 2022 as an attachment to a letter dated January 31, 2022. See 40 CFR 52.220(c)(588)(i)(A)(*3*).
20.5	Power Plants	July 5, 1979	April 14, 1981, 46 FR 21749.	Submitted on February 13, 1980. See 40 CFR 52.220(c)(64)(i)(A).
20.6	Standards for Permit to Operate Air Quality Analysis.	April 27, 2016	October 4, 2018, 83 FR 50007.	Submitted on June 17, 2016. See 40 CFR 52.220(c)(508)(i)(A)(*5*).
21	Permit Conditions	November 29, 1994	March 11, 1998, 63 FR 11831.	Submitted on March 26, 1997. See 40 CFR 52.220(c)(245)(i)(B)(*1*).

TABLE 28—EPA-APPROVED SAN DIEGO COUNTY AIR POLLUTION CONTROL DISTRICT REGULATIONS—Continued

District citation	Title/subject	State effective date	EPA approval date	Additional explanation
24	Temporary Permit to Operate	June 29, 2016	October 4, 2018, 83 FR 50007.	Submitted on August 22, 2016. See 40 CFR 52.220(c)(488)(i)(A)(*4*).
25	Appeals	January 1, 1969	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
27.1	Federal Requirements for the San Diego County Air Pollution Control District's Alternative Mobile Source Emission Reduction Program Approved On September 8, 2000.	August 8, 2008	June 3, 2009, 74 FR 26525.	Submitted on April 29, 2009. See 40 CFR 52.220(c)(362)(i)(A)(*1*).
Regulation III—Fees				
45	Federally Mandated Ozone Nonattainment Fees.	June 9, 2022	September 20, 2024, 89 FR 77023.	Submitted on July 20, 2022. See 40 CFR 52.220(c)(615)(i)(A)(*1*).
Regulation IV—Prohibitions				
50	Visible Emissions	August 13, 1997	December 7, 1998, 63 FR 67419.	Submitted on June 23, 1998. See 40 CFR 52.220(c)(256)(i)(B)(*1*).
52	Particulate Matter	January 22, 1997	December 9, 1998, 63 FR 67784.	Submitted on August 1, 1997. See 40 CFR 52.220(c)(248)(i)(A)(*3*).
53	Specific Air Contaminants	January 22, 1997	December 9, 1998, 63 FR 67784.	Submitted on August 1, 1997. See 40 CFR 52.220(c)(248)(i)(A)(*3*).
53.1	Scavenger Plants	January 1, 1969	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
54	Dust and Fumes	January 22, 1997	December 9, 1998, 63 FR 67784.	Submitted on August 1, 1997. See 40 CFR 52.220(c)(248)(i)(A)(*3*).
58	Incinerator Burning	January 17, 1973	May 11, 1977, 42 FR 23805.	Submitted on July 25, 1973. See 40 CFR 52.220(c)(21)(vi)(A).
60	Circumvention	May 17, 1994	March 9, 2000, 65 FR 12472.	Submitted on July 13, 1994. See 40 CFR 52.220(c)(198)(i)(I)(*2*).
61.0	Definitions Pertaining to the Storage and Handling of Organic Compounds.	October 16, 1990	September 13, 1993, 58 FR 47831.	Submitted on April 5, 1991. See 40 CFR 52.220(c)(183)(i)(A)(*6*).
61.1	Receiving and Storing Volatile Organic Compounds at Bulk Plants and Bulk Terminals.	January 10, 1995	August 8, 1995, 60 FR 40285.	Submitted on January 24, 1995. See 40 CFR 52.220(c)(214)(i)(B)(*1*).
61.2	Transport of Organic Compounds into Mobile Transport Tanks.	February 10, 2021	January 17, 2023, 88 FR 2538.	Submitted on April 20, 2021 as an attachment to a letter dated April 16, 2021. See 40 CFR 52.220(c)(565)(i)(A)(*4*).
61.3	Transfer of Volatile Organic Compounds into Stationary Storage Tanks.	October 16, 1990	June 30, 1993, 58 FR 34906.	Submitted on April 5, 1991. See 40 CFR 52.220(c)(183)(i)(A)(*10*).
61.3.1	Transfer of Gasoline into Stationary Underground Storage Tanks.	March 1, 2006	September 3, 2021, 86 FR 49480.	Submitted on August 9, 2017. See 40 CFR 52.220(c)(503)(i)(B)(*2*).
61.4	Transfer of Volatile Organic Compounds into Vehicle Fuel Tanks.	March 26, 2008	January 7, 2013, 78 FR 897.	Submitted on July 18, 2008. See 40 CFR 52.220(c)(359)(i)(F)(*1*).
61.5	Visible Emission Standards for Vapor Control Systems.	September 20, 1978	April 14, 1981, 46 FR 21749.	Submitted on May 23, 1979. See 40 CFR 52.220(c)(51)(vii)(A).
61.7	Spillage and Leakage of Volatile Organic Compounds.	January 13, 1987	March 11, 1998, 63 FR 11831.	Submitted on June 9, 1987. See 40 CFR 52.220(c)(173)(i)(E)(*1*).
61.8	Certification Requirements for Vapor Control Equipment.	January 13, 1987	March 11, 1998, 63 FR 11831.	Submitted on June 9, 1987. See 40 CFR 52.220(c)(173)(i)(E)(*1*).
62	Sulfur Content of Fuels	October 21, 1981	July 6, 1982, 47 FR 29231.	Submitted on March 1, 1982. See 40 CFR 52.220(c)(121)(ii)(A).
64	Reduction of Animal Matter	August 21, 1981	July 6, 1982, 47 FR 29231.	Submitted on October 23, 1981. See 40 CFR 52.220(c)(103)(ii)(B).
66.1	Miscellaneous Surface Coating Operations and Other Processes Emitting Volatile Organic Compounds.	February 24, 2010	August 9, 2012, 77 FR 47536.	Submitted on July 20, 2010. See 40 CFR 52.220(c)(381)(i)(J)(*1*).
67.0.1	Architectural Coatings	January 1, 2022	December 22, 2022, 87 FR 78544.	Submitted on April 20, 2021 as an attachment to a letter dated April 16, 2021. See 40 CFR 52.220(c)(565)(i)(A)(*3*).
67.1	Alternative Emission Control Plans	May 15, 1996	March 27, 1997, 62 FR 14639.	Submitted on October 18, 1996. See 40 CFR 52.220(c)(241)(i)(A)(*1*).
67.2	Dry Cleaning Equipment Using Petroleum-Based Solvent.	May 15, 1996	March 27, 1997, 62 FR 14639.	Submitted on October 18, 1996. See 40 CFR 52.220(c)(241)(i)(A)(*1*).
67.3	Metal Parts and Products Coating Operations.	April 9, 2003	November 14, 2003, 68 FR 64537.	Submitted on June 5, 2003. See 40 CFR 52.220(c)(316)(i)(C)(*1*).
67.4	Metal Container, Metal Closure and Metal Coil Coating Operations.	November 9, 2011	September 20, 2012, 77 FR 58313.	Submitted on February 23, 2012. See 40 CFR 52.220(c)(411)(i)(C)(*1*).
67.5	Paper, Film and Fabric Coating Operations.	May 15, 1996	March 27, 1997, 62 FR 14639.	Submitted on October 18, 1996. See 40 CFR 52.220(c)(241)(i)(A)(*1*).
67.6.1	Cold Solvent Cleaning and Stripping Operations.	February 10, 2021	October 22, 2021, 86 FR 58593.	Submitted on April 20, 2021 as an attachment to a letter dated April 16, 2021. See 40 CFR 52.220(c)(565)(i)(A)(*1*).

TABLE 28—EPA-APPROVED SAN DIEGO COUNTY AIR POLLUTION CONTROL DISTRICT REGULATIONS—Continued

District citation	Title/subject	State effective date	EPA approval date	Additional explanation
67.6.2	Vapor Degreasing Operations	February 10, 2021	October 22, 2021, 86 FR 58593.	Submitted on April 20, 2021 as an attachment to a letter dated April 16, 2021. See 40 CFR 52.220(c)(565)(i)(A)(*2*).
67.7	Cutback and Emulsified Asphalts	May 15, 1996	March 27, 1997, 62 FR 14639.	Submitted on October 18, 1996. See 40 CFR 52.220(c)(241)(i)(A)(*1*).
67.9	Aerospace Coating Operations	April 30, 1997	August 17, 1998, 63 FR 43884.	Submitted on August 1, 1997. See 40 CFR 52.220(c)(248)(i)(A)(*2*).
67.10	Kelp Processing and Bio-Polymer Manufacturing Operations.	June 25, 1997	June 22, 1998, 63 FR 33854.	Submitted on August 1, 1997. See 40 CFR 52.220(c)(248)(i)(A)(*1*).
67.11	Wood Products Coating Operations	June 27, 2013	April 11, 2013, 78 FR 21537.	Submitted on September 21, 2012. See 40 CFR 52.220(c)(423)(i)(H)(*1*). Also see 85 FR 42728 (July 15, 2020).
67.12.1	Polyester Resin Operations	May 11, 2016	April 2, 2018, 83 FR 13869.	Submitted on August 22, 2016. See 40 CFR 52.220(c)(488)(i)(A)(*2*).
67.15	Pharmaceutical and Cosmetic Manufacturing.	May 15, 1996	March 27, 1997, 62 FR 14639.	Submitted on October 18, 1996. See 40 CFR 52.220(c)(241)(i)(A)(*1*).
67.16	Graphic Arts Operations	May 9, 2012	September 20, 2012, 77 FR 58313.	Submitted on February 23, 2012. See 40 CFR 52.220(c)(411)(i)(C)(*2*).
67.17	Storage of Materials Containing Volatile Organic Compounds.	May 15, 1996	March 27, 1997, 62 FR 14639.	Submitted on October 18, 1996. See 40 CFR 52.220(c)(241)(i)(A)(*1*).
67.18	Marine Coating Operations	May 15, 1996	March 27, 1997, 62 FR 14639.	Submitted on October 18, 1996. See 40 CFR 52.220(c)(241)(i)(A)(*1*).
67.19	Coatings and Printing Inks Manufacturing Operations.	May 15, 1996	May 26, 2000, 65 FR 34101.	Submitted on October 18, 1996. See 40 CFR 52.220(c)(241)(i)(A)(*5*).
67.21	Adhesive Material Application Operations.	November 14, 2008	February 25, 2020, 85 FR 10611.	Submitted on August 9, 2017. See 40 CFR 52.220(c)(503)(i)(B)(*1*).
67.24	Bakery Ovens	May 15, 1996	March 27, 1997, 62 FR 14639.	Submitted on October 18, 1996. See 40 CFR 52.220(c)(241)(i)(A)(*1*).
68	Fuel-Burning Equipment—Oxides of Nitrogen.	September 20, 1994	April 9, 1996, 61 FR 15719.	Submitted on October 19, 1994. See 40 CFR 52.220(c)(202)(i)(C)(*4*).
69.2	Industrial and Commercial Boilers, Process Heaters and Steam Generators.	September 27, 1994	February 9, 1996, 61 FR 4887.	Submitted on October 19, 1994. See 40 CFR 52.220(c)(202)(i)(C)(*3*).
69.2.1	Small Boilers, Process Heaters, Steam Generators, and Large Water Heaters.	July 1, 2021	December 21, 2023, 88 FR 88254.	Adopted by San Diego County APCD on July 8, 2020, effective July 1, 2021. Submitted on September 21, 2020, as an attachment to a letter dated September 18, 2020. See 40 CFR 52.220(c)(557)(i)(B)(*2*).
69.2.2	Medium Boilers, Process Heaters, and Steam Generators.	September 9, 2021	August 23, 2023, 88 FR 57361.	Submitted on March 9, 2022. See 40 CFR 52.220(c)(604)(i)(A)(*1*).
69.3	Stationary Gas Turbine Engines	September 27, 1994	June 17, 1997, 62 FR 32691.	Submitted on October 19, 1994. See 40 CFR 52.220(c)(202)(i)(C)(*6*).
69.4	Stationary Reciprocating Internal Combustion Engines—Reasonably Available Control Technology.	July 30, 2003	January 4, 2006, 71 FR 244.	Submitted on November 4, 2003. See 40 CFR 52.220(c)(321)(i)(D)(*1*).
70	Orchard Heaters	January 17, 1972	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
71	Abrasive Blasting	March 30, 1977	August 31, 1978, 43 FR 38825.	Submitted on October 13, 1977. See 40 CFR 52.220(c)(41)(ii)(A).
Regulation VI—Burning Controls				
101	Burning Control	September 25, 2002	April 30, 2003, 68 FR 23035.	Submitted on November 19, 2002. See 40 CFR 52.220(c)(307)(i)(C)(*1*).
Regulation VII—Validity and Effective Date				
140	Validity	January 1, 1969	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
141	Effective Date	January 1, 1969	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
Regulation VIII—San Diego Air Pollution Emergency Plan				
126	Applicability	May 25, 1977	May 28, 1980, 45 FR 35805.	Submitted on October 13, 1977. See 40 CFR 52.220(c)(41)(ii)(C).
127	Episode Criteria Levels	September 17, 1991	March 18, 1999, 64 FR 13351.	Submitted on January 28, 1992. See 40 CFR 52.220(c)(187)(i)(D)(*1*).
128	Episode Declaration	September 17, 1991	March 18, 1999, 64 FR 13351.	Submitted on January 28, 1992. See 40 CFR 52.220(c)(187)(i)(D)(*1*).
129	Episode Termination	May 25, 1977	May 28, 1980, 45 FR 35805.	Submitted on October 13, 1977. See 40 CFR 52.220(c)(41)(ii)(C).
130	Episode Actions	September 17, 1991	March 18, 1999, 64 FR 13351.	Refers to Appendix A. Submitted on January 28, 1992. See 40 CFR 52.220(c)(187)(i)(D)(*1*).
131	Stationary Source Curtailment Plan	May 25, 1977	May 28, 1980, 45 FR 35805.	Submitted on October 13, 1977. See 40 CFR 52.220(c)(41)(ii)(C).
131 (paragraph (f))	Stationary Source Curtailment Plan	May 1, 1981	June 21, 1982, 47 FR 26618.	Submitted on May 28, 1981. See 40 CFR 52.220(c)(92)(v)(A).

TABLE 28—EPA-APPROVED SAN DIEGO COUNTY AIR POLLUTION CONTROL DISTRICT REGULATIONS—Continued

District citation	Title/subject	State effective date	EPA approval date	Additional explanation
132	Traffic Abatement Plan	May 25, 1977	May 28, 1980, 45 FR 35805.	Submitted on October 13, 1977. See 40 CFR 52.220(c)(41)(ii)(C).
132 (paragraph (d))	Traffic Abatement Plan	May 1, 1981	June 21, 1982, 47 FR 26618.	Submitted on May 28, 1981. See 40 CFR 52.220(c)(92)(v)(A).
133	Schools	May 25, 1977	May 28, 1980, 45 FR 35805.	Submitted on October 13, 1977. See 40 CFR 52.220(c)(41)(ii)(C).
134	Source Inspection	May 1, 1981	June 21, 1982, 47 FR 26618.	Submitted on May 28, 1981. See 40 CFR 52.220(c)(92)(v)(A).
135	Air Monitoring Stations	May 25, 1977	May 28, 1980, 45 FR 35805.	Submitted on October 13, 1977. See 40 CFR 52.220(c)(41)(ii)(C).
136	Interdistrict and Interbasin Coordination.	May 25, 1977	May 28, 1980, 45 FR 35805.	Submitted on October 13, 1977. See 40 CFR 52.220(c)(41)(ii)(C).
137	Emergency Action Committee	May 25, 1977	May 28, 1980, 45 FR 35805.	Submitted on October 13, 1977. See 40 CFR 52.220(c)(41)(ii)(C).
138	Procedures and Plans	May 25, 1977	May 28, 1980, 45 FR 35805.	Submitted on October 13, 1977. See 40 CFR 52.220(c)(41)(ii)(C).
Appendix to Regulation VIII				
Appendix A	Persons to be Notified on Episode Declaration.	May 25, 1977	May 28, 1980, 45 FR 35805.	Cited in Rule 130. Submitted on October 13, 1977. See 40 CFR 52.220(c)(41)(ii)(C).
Regulation IX—Public Records				
175	General	May 22, 1974	May 11, 1977, 42 FR 23805.	Submitted on July 19, 1974. See 40 CFR 52.220(c)(24)(iii)(A).
176	Information Supplied to District	May 22, 1974	May 11, 1977, 42 FR 23805.	Submitted on July 19, 1974. See 40 CFR 52.220(c)(24)(iii)(A).
177	Inspection of Public Records	May 22, 1974	May 11, 1977, 42 FR 23805.	Submitted on July 19, 1974. See 40 CFR 52.220(c)(24)(iii)(A).
177 (paragraph (c))	Inspection of Public Records	March 30, 1977	August 31, 1978, 43 FR 38825.	The revision to paragraph (c) relates to a change in address. Submitted on October 13, 1977. See 40 CFR 52.220(c)(41)(ii)(A).
Regulation XV—Federal Conformity				
1501	Conformity of General Federal Actions	June 22, 1999	April 23, 1999, 64 FR 19916.	Submitted on May 24, 1995. See 40 CFR 52.220(c)(220)(i)(D)(*1*).

TABLE 29—EPA-APPROVED SAN JOAQUIN VALLEY UNIFIED AIR POLLUTION CONTROL DISTRICT REGULATIONS; FRESNO COUNTY AIR POLLUTION CONTROL DISTRICT REGULATIONS; KERN COUNTY AIR POLLUTION CONTROL DISTRICT REGULATIONS; KINGS COUNTY AIR POLLUTION CONTROL DISTRICT REGULATIONS; MADERA COUNTY AIR POLLUTION CONTROL DISTRICT REGULATIONS; MERCED COUNTY AIR POLLUTION CONTROL DISTRICT REGULATIONS; SAN JOAQUIN COUNTY AIR POLLUTION CONTROL DISTRICT REGULATIONS; STANISLAUS COUNTY AIR POLLUTION CONTROL DISTRICT REGULATIONS; TULARE COUNTY AIR POLLUTION CONTROL DISTRICT REGULATIONS

District citation	Title/subject	State effective date	EPA approval date	Additional explanation
[Reserved]				

TABLE 30—EPA-APPROVED SAN LUIS OBISPO COUNTY AIR POLLUTION CONTROL DISTRICT REGULATIONS

District citation	Title/subject	State effective date	EPA approval date	Additional explanation
Original Codification of Rules and Regulations				
101	Effective Date	May 26, 1971	May 31, 1972, 37 FR 10842.	Submitted on February 21, 1972. See 40 CFR 52.220(b).
113	Particulate Matter	May 26, 1971	May 31, 1972, 37 FR 10842.	Submitted on February 21, 1972. See 40 CFR 52.220(b).
114 (paragraphs (1) and 3)).	Gaseous Contaminants	May 26, 1971	May 31, 1972, 37 FR 10842.	Submitted on February 21, 1972. See 40 CFR 52.220(b). Paragraph (1) is titled ''Sulfur Dioxide,'' and paragraph (3) is titled ''Reduced Sulfur Compounds.'' Paragraphs (2) (''Sulfur Content of Fuels'') and (4) (''Oxides of Nitrogen'') have been superseded by approval of Rules 404(E) and 405(A), respectively.
115 (Paragraph (2))	Combustion Operations	May 26, 1971	May 31, 1972, 37 FR 10842.	Submitted on February 21, 1972. See 40 CFR 52.220(b). Paragraph (2) is titled ''Incinerator Burning.'' Paragraph (1) (''Open Burning'') was superseded by approval of Rule 501.
116 (Paragraph (5))	Additional Prohibitions	May 26, 1971	May 31, 1972, 37 FR 10842.	Submitted on February 21, 1972. See 40 CFR 52.220(b). Paragraph (5) is titled ''Circumvention.'' Paragraphs (1) and (3) have been rescinded, and Paragraphs (2) and (4) have been superseded by approval of Rule 410 and 407, respectively.

TABLE 30—EPA-APPROVED SAN LUIS OBISPO COUNTY AIR POLLUTION CONTROL DISTRICT REGULATIONS—Continued

District citation	Title/subject	State effective date	EPA approval date	Additional explanation
117 (paragraphs (4)(a), (4)(h) and (6)(b)).	Agricultural Burning	June 30, 1972	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6). All the other paragraphs of Rule 117 were superseded by approval of Rule 502 at 43 FR 51776 (November 7, 1978).
190 (paragraphs (a) through (e), (h) and (i) of subsection (1), and subsections (2), (3)(b), (4) and (7)).	Permits	May 26, 1971	May 31, 1972, 37 FR 10842.	Submitted on February 21, 1972. See 40 CFR 52.220(b). The provisions that have not been superseded by approval of Rules 201, 202, 205, 206, 207, 208, 209, 210, 211, 301 or 302 include exceptions to the requirement to obtain an authority to construct or permit to operate, requirements related to obtaining permits to operate, certain authorities granted to the Control Officer, certain requirements for applicants, and certain other limitations on issuance of permits.
190 (paragraphs (f) and (g) of subsection (1), and the second, third and fourth paragraphs of subsection (2)).	Permits	June 30, 1972	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6). Provisions include certain amended exceptions to the requirement to obtain an authority to construct or permit to operate and certain requirements related to obtaining permits to operate.
191	Action in Areas of High Concentrations.	May 26, 1971	May 31, 1972, 37 FR 10842.	Submitted on February 21, 1972. See 40 CFR 52.220(b).
199 (paragraphs (1) and (4)).	General Provisions	May 26, 1971	May 31, 1972, 37 FR 10842.	Submitted on February 21, 1972. See 40 CFR 52.220(b). Paragraph (1) is titled ''Liability of District and District Officers,'' and paragraph (4) is titled ''Abatement.'' Paragraphs (2) (''Severability'') and (3) (''Enforcement'') have been superseded by approval of Rules 108 and 110, respectively. (Rule 110 (Enforcement) was later deleted without replacement.)
Recodification of Rules and Regulations				
Regulation I—General Provisions				
101	Title	August 2, 1976	August 4, 1978, 43 FR 34465.	Submitted on November 10, 1976. See 40 CFR 52.220(c)(35)(xii)(A).
103	Conflicts Between District, State and Federal Rules.	August 2, 1976	August 4, 1978, 43 FR 34465.	Submitted on November 10, 1976. See 40 CFR 52.220(c)(35)(xii)(A).
105	Definitions	November 21, 1983	December 5, 1984, 49 FR 47490.	Submitted on April 19, 1984. See 40 CFR 52.220(c)(154)(iv)(A).
106	Standard Conditions	August 2, 1976	August 4, 1978, 43 FR 34465.	Submitted on November 10, 1976. See 40 CFR 52.220(c)(35)(xii)(A).
108	Severability	August 2, 1976	August 4, 1978, 43 FR 34465.	Submitted on November 10, 1976. See 40 CFR 52.220(c)(35)(xii)(A).
109	Particular Controls Not Required	August 2, 1976	August 4, 1978, 43 FR 34465.	Submitted on November 10, 1976. See 40 CFR 52.220(c)(35)(xii)(A).
112	Public Availability of Information	December 6, 1976	August 4, 1978, 43 FR 34465.	Submitted on February 10, 1977. See 40 CFR 52.220(c)(37)(iii)(A).
113	San Luis Obispo County Air Pollution Control District, Continuous Emissions Monitoring.	June 22, 1977	November 7, 1978, 43 FR 51776.	Adopted by CARB on June 22, 1977 for the San Luis Obispo County APCD. Submitted on October 13, 1977. See 40 CFR 52.220(c)(41)(vi)(A).
Regulation II—Permits				
201	Permits	November 13, 1984	July 13, 1987, 52 FR 26148.	Submitted on April 12, 1985. See 40 CFR 52.220(c)(160)(i)(B)(*1*).
205	Conditional Approval	November 13, 1984	July 13, 1987, 52 FR 26148.	Submitted on April 12, 1985. See 40 CFR 52.220(c)(160)(i)(B)(*1*).
209	Transfer	August 2, 1976	February 1, 1984, 49 FR 3987.	Submitted on November 10, 1976. See 40 CFR 52.220(c)(35)(xii)(E).
210	Cancellation of Applications	August 2, 1976	February 1, 1984, 49 FR 3987.	Submitted on November 10, 1976. See 40 CFR 52.220(c)(35)(xii)(E).
211	Provision of Sampling and Testing Facilities.	August 2, 1976	February 1, 1984, 49 FR 3987.	Submitted on November 10, 1976. See 40 CFR 52.220(c)(35)(xii)(E).
212	Periodic Inspection and Recertification of Equipment.	September 24, 1979	February 1, 1984, 49 FR 3987.	Submitted on July 19, 1983. See 40 CFR 52.220(c)(137)(v)(A).
220 (except for the incorporation by reference of 40 CFR 52.21(b)(49)(v) into sections B and D.3.).	Federal Prevention of Significant Deterioration.	January 22, 2014	November 12, 2015, 80 FR 69880.	Submitted on May 13, 2014. See 40 CFR 52.220(c)(441)(i)(F)(*1*). The approval of Rule 220 was supported by a letter dated December 16, 2014 from Larry R. Allen, San Luis Obispo County Air Pollution Control District, to Gerardo Rios, United States Environmental Protection Agency Region 9, regarding clarifications of District Rule 220 and 40 CFR 51.166. The letter is included in the table listing non-regulatory materials approved as part of the California SIP.
222	Federal Emission Statement	June 24, 2020	July 29, 2022, 87 FR 45657.	Submitted on July 27, 2020 as an attachment to a letter dated July 23, 2020. See 40 CFR 52.220(c)(573)(i)(B)(*1*).

TABLE 30—EPA-APPROVED SAN LUIS OBISPO COUNTY AIR POLLUTION CONTROL DISTRICT REGULATIONS—Continued

District citation	Title/subject	State effective date	EPA approval date	Additional explanation
224	Federal Requirements for New and Modified Major Sources in Non-Attainment Areas.	January 26, 2022	May 16, 2024, 89 FR 42808.	Submitted on July 5, 2022, by the Governor's designee. See 40 CFR 52.220(c)(607)(i)(B)(*1*).
Regulation IV—Source Emission Standards, Limitations and Prohibitions				
401 (excluding paragraphs (B)(4) and (B)(6)).	Visible Emissions	August 2, 1976	August 4, 1978, 43 FR 34465.	Submitted on November 10, 1976. See 40 CFR 52.220(c)(35)(xii)(A).
404 (paragraph (E))	Sulfur Compounds Emission Standards, Limitations and Prohibitions.	December 6, 1976	August 4, 1978, 43 FR 34465.	Paragraph (E) is titled ''Sulfur Content of Fuels.'' Submitted on February 10, 1977. See 40 CFR 52.220(c)(37)(iii)(A).
405	Nitrogen Oxides Emission Standards, Limitations and Prohibitions.	November 13, 1984	July 13, 1987, 52 FR 26148.	Submitted on April 12, 1985. See 40 CFR 52.220(c)(160)(i)(B)(*1*).
406	Carbon Monoxide Emission Standards and Limitations.	November 13, 1984	July 13, 1987, 52 FR 26148.	Submitted on April 12, 1985. See 40 CFR 52.220(c)(160)(i)(B)(*1*).
407	Organic Material Emission Standards, Limitations and Prohibitions.	June 18, 1979	June 18, 1982, 47 FR 26388.	Submitted on December 17, 1979. See 40 CFR 52.220(c)(58)(viii)(A).
409	Orchard or Citrus Grove Heaters	August 2, 1976	August 4, 1978, 43 FR 34465.	Submitted on November 10, 1976. See 40 CFR 52.220(c)(35)(xii)(A).
410	Reduction of Animal Matter	August 2, 1976	August 4, 1978, 43 FR 34465.	Submitted on November 10, 1976. See 40 CFR 52.220(c)(35)(xii)(A).
411	Surface Coating of Manufactured Metal Parts.	June 8, 1981	June 18, 1982, 47 FR 26388.	Submitted on October 23, 1981. See 40 CFR 52.220(c)(103)(xii)(A).
415	Dry Cleaning Solvents	June 18, 1979	May 18, 1981, 46 FR 27116.	Submitted on October 18, 1979. See 40 CFR 52.220(c)(77)(i)(A).
416	Degreasing Operations	June 18, 1979	May 18, 1981, 46 FR 27116.	Submitted on October 18, 1979. See 40 CFR 52.220(c)(77)(i)(A).
417	Control of Fugitive Emissions of Volatile Organic Compounds.	February 9, 1993	September 27, 1995, 60 FR 49772.	Submitted on May 13, 1993. See 40 CFR 52.220(c)(193)(i)(B)(*1*).
419	Petroleum Pits, Ponds, Sumps, Well Cellars, and Wastewater Separators.	July 12, 1994	September 27, 1995, 60 FR 49772.	Submitted on September 28, 1994. See 40 CFR 52.220(c)(199)(i)(B)(*1*).
420	Cutback Asphalt Paving Materials	June 18, 1979	May 18, 1981, 46 FR 27116.	Submitted on October 18, 1979. See 40 CFR 52.220(c)(77)(i)(A).
422	Refinery Process Turnarounds	June 18, 1979	May 18, 1981, 46 FR 27116.	Submitted on October 18, 1979. See 40 CFR 52.220(c)(77)(i)(A).
424	Gasoline Dispensing Facilities	July 18, 1989	August 30, 1993, 58 FR 45442.	Submitted on December 31, 1990. See 40 CFR 52.220(c)(182)(i)(C)(*1*).
Regulation V—Burning Provisions, Limitations and Prohibitions				
501 (excluding paragraphs (A)(7) and (B)).	General Burning Provisions	August 2, 1976	November 7, 1978, 43 FR 51776.	Submitted on November 10, 1976. See 40 CFR 52.220(c)(35)(xii)(D). Paragraph (A)(7) was superseded by the submittal, and subsequent disapproval, of the same paragraph on November 4, 1977 at 43 FR 51776 (November 7, 1978).
502 (paragraphs A–F, H–I, K–N, O(1), P–Q).	Agricultural Burning	August 2, 1976	November 7, 1978, 43 FR 51776.	Submitted on November 10, 1976. See 40 CFR 52.220(c)(35)(xii)(D).
502 (paragraph (A)(3))	Agricultural Burning	July 5, 1977	November 7, 1978, 43 FR 51776.	Submitted on November 4, 1977. See 40 CFR 52.220(c)(42)(vii)(A).
Emergency Episode Plans				
San Luis Obispo County Air Pollution Control District, Resolution No. 2020–1, January 22, 2020.	San Luis Obispo County Ozone Emergency Episode Plan.	January 22, 2020	March 30, 2021, 86 FR 16533.	Submitted on June 25, 2020 as an attachment to a letter dated June 16, 2020. See 40 CFR 52.220(c)(552)(i)(B)(*1*).

TABLE 31—EPA-APPROVED SANTA BARBARA COUNTY AIR POLLUTION CONTROL DISTRICT REGULATIONS

District citation	Title/subject	State effective date	EPA approval date	Additional explanation
Original Codification of Rules and Regulations				
20	Scavenger Plants	October 18, 1971	May 31, 1972, 37 FR 10842.	Submitted on February 21, 1972. See 40 CFR 52.220(b).
36.1	Vacuum Producing Devices or Systems—South Coast Air Basin.	June 1, 1972	September 22, 1972, 37 FR 19812.	Adopted for Santa Barbara County by CARB through Resolution 72–68. Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
64	Continuing Program of Voluntary Cooperation.	October 18, 1971	May 31, 1972, 37 FR 10842.	Submitted on February 21, 1972. See 40 CFR 52.220(b).
74	Violations	October 18, 1971	May 31, 1972, 37 FR 10842.	Submitted on February 21, 1972. See 40 CFR 52.220(b).
75	Enforcement	October 18, 1971	May 31, 1972, 37 FR 10842.	Submitted on February 21, 1972. See 40 CFR 52.220(b).

TABLE 31—EPA-APPROVED SANTA BARBARA COUNTY AIR POLLUTION CONTROL DISTRICT REGULATIONS—Continued

District citation	Title/subject	State effective date	EPA approval date	Additional explanation
1979 Re-Codification of Rules and Regulations				
Regulation I—General Provisions				
101	Title: Compliance by Existing Installations: Conflicts.	October 23, 1978	May 18, 1981, 46 FR 27116.	Submitted on May 23, 1979. See 40 CFR 52.220(c)(51)(xiii)(A).
102	Definitions	August 25, 2016	March 24, 2020, 85 FR 16555.	Submitted on October 18, 2016. See 40 CFR 52.220(c)(533)(i)(A)(*1*).
103	Severability	October 23, 1978	May 18, 1981, 46 FR 27116.	Submitted on May 23, 1979. See 40 CFR 52.220(c)(51)(xiii)(A).
104	Agricultural Burning	October 23, 1978	May 18, 1981, 46 FR 27116.	Submitted on May 23, 1979. See 40 CFR 52.220(c)(51)(xiii)(A).
105	Applicability	August 25, 2016	March 24, 2020, 85 FR 16555.	Submitted on October 18, 2016. See 40 CFR 52.220(c)(533)(i)(A)(*2*).
Regulation II—Permits				
201	Permits Required	June 19, 2008	February 9, 2016, 81 FR 6758.	Submitted on October 20, 2008. See 40 CFR 52.220(c)(361)(i)(A)(*4*).
202	Exemptions to Rule 201	August 25, 2016	March 24, 2020, 85 FR 16555.	Submitted on October 18, 2016. See 40 CFR 52.220(c)(533)(i)(A)(*3*).
203	Transfer	April 17, 1997	February 9, 2016, 81 FR 6758.	Submitted on March 10, 1998. See 40 CFR 52.220(c)(254)(i)(C)(*6*).
204	Applications	August 25, 2016	March 24, 2020, 85 FR 16555.	Submitted on October 18, 2016. See 40 CFR 52.220(c)(533)(i)(A)(*4*).
205	Standards for Granting Applications	April 17, 1997	March 24, 2020, 85 FR 16555.	Submitted on March 10, 1998. See 40 CFR 52.220(c)(254)(i)(C)(*8*).
205 (paragraph (C) (except subparagraph 5.b.8.)).	Standards for Granting Applications	June 11, 1979	May 5, 1982, 47 FR 19330.	Paragraph C is titled ''New Source Review.'' Submitted on October 18, 1979. See 40 CFR 52.220(c)(77)(ii)(A).
206	Conditional Approval of Authority to Construct or Permit to Operate.	October 15, 1991	February 9, 2016, 81 FR 6758.	Submitted on January 28, 1992. See 40 CFR 52.220(c)(187)(i)(E)(*1*).
212	Emission Statements	October 20, 1992	May 26, 2004, 69 FR 29880.	Submitted on November 12, 1992. See 40 CFR 52.220(c)(190)(i)(G)(*1*).
Regulation III—Prohibitions				
301	Circumvention	October 23, 1978	May 18, 1981, 46 FR 27116.	Submitted on May 23, 1979. See 40 CFR 52.220(c)(51)(xiii)(A).
302	Visible Emissions	October 23, 1978	May 18, 1981, 46 FR 27116.	Submitted on May 23, 1979. See 40 CFR 52.220(c)(51)(xiii)(A).
304	Particulate Matter—Northern Zone	October 23, 1978	May 18, 1981, 46 FR 27116.	Submitted on May 23, 1979. See 40 CFR 52.220(c)(51)(xiii)(A).
305	Particulate Matter Concentration—Southern Zone.	October 23, 1978	May 18, 1981, 46 FR 27116.	Submitted on May 23, 1979. See 40 CFR 52.220(c)(51)(xiii)(A).
306	Dust and Fumes—Northern Zone	October 23, 1978	May 18, 1981, 46 FR 27116.	Submitted on May 23, 1979. See 40 CFR 52.220(c)(51)(xiii)(A).
307	Particulate Matter Emission Weight Rate—Southern Zone.	October 23, 1978	May 18, 1981, 46 FR 27116.	Submitted on May 23, 1979. See 40 CFR 52.220(c)(51)(xiii)(A).
308	Incinerator Burning	October 23, 1978	May 18, 1981, 46 FR 27116.	Submitted on May 23, 1979. See 40 CFR 52.220(c)(51)(xiii)(A).
309	Specific Contaminants	October 23, 1978	May 18, 1981, 46 FR 27116.	Submitted on May 23, 1979. See 40 CFR 52.220(c)(51)(xiii)(A).
311	Sulfur Content of Fuels	October 23, 1978	May 18, 1981, 46 FR 27116.	Submitted on May 23, 1979. See 40 CFR 52.220(c)(51)(xiii)(A).
312 (excluding paragraphs (B) and (C)).	Open Fires	October 23, 1978	May 18, 1981, 46 FR 27116.	Submitted on May 23, 1979. See 40 CFR 52.220(c)(51)(xiii)(A). Paragraphs (B) and (C) were disapproved at 46 FR 27116 (May 18, 1981).
313	Fires Set Under Public Authority	October 23, 1978	May 18, 1981, 46 FR 27116.	Submitted on May 23, 1979. See 40 CFR 52.220(c)(51)(xiii)(A).
314	Reduction of Animal Matter	October 23, 1978	May 18, 1981, 46 FR 27116.	Submitted on May 23, 1979. See 40 CFR 52.220(c)(51)(xiii)(A).
315	Gasoline Specifications	October 23, 1978	May 18, 1981, 46 FR 27116.	Submitted on May 23, 1979. See 40 CFR 52.220(c)(51)(xiii)(A).
316	Storage and Transfer of Gasoline	January 15, 2009	January 31, 2011, 76 FR 5277.	Submitted on March 17, 2009. See 40 CFR 52.220(c)(363)(i)(B)(*2*).
317	Organic Solvents	October 23, 1978	May 18, 1981, 46 FR 27116.	Submitted on May 23, 1979. See 40 CFR 52.220(c)(51)(xiii)(A).
319	Asphalt Air Blowing—Southern Zone	October 23, 1978	May 18, 1981, 46 FR 27116.	Submitted on May 23, 1979. See 40 CFR 52.220(c)(51)(xiii)(A).
320	Petroleum Solvent Dry Cleaners	June 11, 1979	May 5, 1982, 47 FR 19330.	Submitted on October 18, 1979. See 40 CFR 52.220(c)(77)(ii)(A).
321	Solvent Cleaning Machines and Solvent Cleaning.	June 21, 2012	January 30, 2014, 79 FR 4821.	Submitted on September 21, 2012. See 40 CFR 52.220(c)(423)(i)(E)(*3*).
322	Metal Surface Coating Thinner and Reducer.	October 23, 1978	May 18, 1981, 46 FR 27116.	Submitted on May 23, 1979. See 40 CFR 52.220(c)(51)(xiii)(A).
323	Architectural Coatings	November 15, 2001	January 2, 2004, 69 FR 34.	Submitted on March 15, 2002. See 40 CFR 52.220(c)(297)(i)(F)(*1*).
323.1	Architectural Coatings	January 1, 2015	December 8, 2015, 80 FR 76222.	Submitted on November 6, 2014. See 40 CFR 52.220(c)(457)(i)(G)(*1*).

TABLE 31—EPA-APPROVED SANTA BARBARA COUNTY AIR POLLUTION CONTROL DISTRICT REGULATIONS—Continued

District citation	Title/subject	State effective date	EPA approval date	Additional explanation
324	Disposal and Evaporation of Solvents	October 23, 1978	May 18, 1981, 46 FR 27116.	Submitted on May 23, 1979. See 40 CFR 52.220(c)(51)(xiii)(A).
325	Crude Oil Production and Separation	July 19, 2001	July 8, 2002, 67 FR 45066.	Submitted on November 7, 2001. See 40 CFR 52.220(c)(292)(i)(B)(*1*).
326	Storage of Reactive Organic Compound Liquids.	January 18, 2001	July 8, 2002, 67 FR 45066.	Submitted on May 8, 2001. See 40 CFR 52.220(c)(284)(i)(C)(*1*).
327	Organic Liquid Cargo Vessel Loading	June 11, 1979	May 5, 1982, 47 FR 19330.	Submitted on October 18, 1979. See 40 CFR 52.220(c)(77)(ii)(A).
328	Continuous Emission Monitoring	October 23, 1978	May 18, 1981, 46 FR 27116.	Submitted on May 23, 1979. See 40 CFR 52.220(c)(51)(xiii)(A).
329	Cutback and Emulsified Asphalt Paving Materials.	February 25, 1992	February 5, 1996, 61 FR 4215.	Submitted on June 19, 1992. See 40 CFR 52.220(c)(188)(i)(A)(*4*).
330	Surface Coating of Metal Parts and Products.	June 21, 2012	January 30, 2014, 79 FR 4821.	Submitted on September 21, 2012. See 40 CFR 52.220(c)(423)(i)(E)(*4*).
331	Fugitive Emissions Inspection and Maintenance.	December 10, 1991	September 20, 1994, 59 FR 48174.	Submitted on June 19, 1992. See 40 CFR 52.220(c)(188)(i)(A)(*2*).
332	Petroleum Refinery Vacuum Producing Systems, Wastewater Separators and Process Turnarounds.	June 11, 1979	May 5, 1982, 47 FR 19330.	Submitted on October 18, 1979. See 40 CFR 52.220(c)(77)(ii)(A).
333	Control of Emissions from Reciprocating Internal Combustion Engines.	June 19, 2008	May 31, 2011, 76 FR 31242.	Submitted on October 20, 2008. See 40 CFR 52.220(c)(361)(i)(A)(*2*).
337	Surface Coating of Aerospace Vehicles and Components.	June 21, 2012	April 11, 2013, 78 FR 21537.	Submitted on September 21, 2012. See 40 CFR 52.220(c)(423)(i)(E)(*7*). Also see 85 FR 42728 (July 15, 2020).
339	Motor Vehicle and Mobile Equipment Coating Operations.	January 1, 2009	September 24, 2013, 78 FR 58459.	Submitted on October 20, 2008. See 40 CFR 52.220(c)(361)(i)(A)(*3*).
342	Control of Oxides of Nitrogen (NO_X) from Boilers, Steam Generators and Process Heaters.	April 17, 1997	September 24, 1999, 64 FR 51688.	Submitted on March 10, 1998. See 40 CFR 52.220(c)(254)(i)(C)(*4*).
343	Petroleum Storage Tanks Degassing	December 14, 1993	October 7, 1996, 61 FR 52297.	Submitted on March 29, 1994. See 40 CFR 52.220(c)(196)(i)(C)(*3*).
344	Petroleum Sumps, Pits, and Well Cellars.	November 10, 1994	February 13, 1996, 61 FR 5515.	Submitted on January 24, 1995. See 40 CFR 52.220(c)(214)(i)(C)(*2*).
346	Loading of Organic Liquid Cargo Vessels.	January 18, 2001	October 29, 2002, 67 FR 65873.	Submitted on May 8, 2001. See 40 CFR 52.220(c)(284)(i)(C)(*2*).
349	Polyester Resin Operations	June 21, 2012	January 30, 2014, 79 FR 4821.	Submitted on September 21, 2012. See 40 CFR 52.220(c)(423)(i)(E)(*5*).
351	Surface Coating of Wood Products	August 20, 1998	March 22, 2000, 65 FR 15240.	Submitted on May 13, 1999. See 40 CFR 52.220(c)(263)(i)(B)(*2*).
352	Natural Gas-Fired Fan-Type Central Furnaces and Small Water Heaters.	October 20, 2011	April 11, 2013, 78 FR 21542.	Submitted on February 23, 2012. See 40 CFR 52.220(c)(411)(i)(G)(*1*).
353	Adhesives and Sealants	June 21, 2012	August 30, 2013, 78 FR 53680.	Submitted on September 21, 2012. See 40 CFR 52.220(c)(423)(i)(E)(*2*).
354	Graphic Arts	June 28, 1994	July 11, 1997, 62 FR 37136.	Submitted on July 13, 1994. See 40 CFR 52.220(c)(198)(i)(K)(*1*).
359	Flares and Thermal Oxidizers	June 28, 1994	May 7, 1996, 61 FR 20453.	Submitted on July 13, 1994. See 40 CFR 52.220(c)(198)(i)(K)(*2*).
360	Emissions of Oxides of Nitrogen from Large Water Heaters and Small Boilers.	October 17, 2002	October 14, 2003, 68 FR 59121.	Submitted on January 21, 2003. See 40 CFR 52.220(c)(312)(i)(B)(*1*).
361	Small Boilers, Steam Generators and Process Heaters.	January 17, 2008	May 31, 2011, 76 FR 31242.	Submitted on July 18, 2008. See 40 CFR 52.220(c)(359)(i)(E)(*1*).
370	Potential to Emit—Limitations for Part 70 Sources.	June 15, 1995	October 15, 1997, 62 FR 53542.	Submitted on August 10, 1995. See 40 CFR 52.220(c)(224)(i)(E)(*1*).
	Regulation IV—Agricultural Burning			
401	Agricultural and Prescribed Burning	May 16, 2002	January 23, 2003, 68 FR 3190.	Submitted on August 6, 2002. See 40 CFR 52.220(c)(303)(i)(A)(*1*).
403	Burning Permit for Non-Burning Days: Report Requirements.	October 23, 1978	May 18, 1981, 46 FR 27116.	Submitted on May 23, 1979. See 40 CFR 52.220(c)(51)(xiii)(A).
	Regulation V—Hearing Board			
505	Breakdown Conditions	October 23, 1978	May 18, 1981, 46 FR 27116.	Submitted on May 23, 1979. See 40 CFR 52.220(c)(51)(xiii)(A).
505–A	Breakdown Reporting Information Form.	October 23, 1978	May 18, 1981, 46 FR 27116.	Submitted on May 23, 1979. See 40 CFR 52.220(c)(51)(xiii)(A).
	Regulation VI—Emergencies			
601	General	June 15, 1981	June 21, 1982, 47 FR 26618.	Submitted on October 23, 1981. See 40 CFR 52.220(c)(103)(iii)(B).
602	Episodes/Disasters	June 15, 1981	June 21, 1982, 47 FR 26618.	Submitted on October 23, 1981. See 40 CFR 52.220(c)(103)(iii)(B).
603	Emergency Episode Plans	June 15, 1981	June 21, 1982, 47 FR 26618.	Submitted on October 23, 1981. See 40 CFR 52.220(c)(103)(iii)(B).
604	Source Inspection	June 15, 1981	June 21, 1982, 47 FR 26618.	Submitted on October 23, 1981. See 40 CFR 52.220(c)(103)(iii)(B).

TABLE 31—EPA-APPROVED SANTA BARBARA COUNTY AIR POLLUTION CONTROL DISTRICT REGULATIONS—Continued

District citation	Title/subject	State effective date	EPA approval date	Additional explanation
605	Enforcement	June 15, 1981	June 21, 1982, 47 FR 26618.	Submitted on October 23, 1981. See 40 CFR 52.220(c)(103)(iii)(B).
606	Communication Network	June 15, 1981	June 21, 1982, 47 FR 26618.	Submitted on October 23, 1981. See 40 CFR 52.220(c)(103)(iii)(B).
607	Air Monitoring Stations	June 15, 1981	June 21, 1982, 47 FR 26618.	Submitted on October 23, 1981. See 40 CFR 52.220(c)(103)(iii)(B).
608	Air Monitoring Summaries	June 15, 1981	June 21, 1982, 47 FR 26618.	Submitted on October 23, 1981. See 40 CFR 52.220(c)(103)(iii)(B).
609	Interdistrict Cooperation	June 15, 1981	June 21, 1982, 47 FR 26618.	Submitted on October 23, 1981. See 40 CFR 52.220(c)(103)(iii)(B).
Regulation VII—Conformity				
702	General Conformity	October 20, 1994	April 23, 1999, 64 FR 19916.	Submitted on November 30, 1994. See 40 CFR 52.220(c)(207)(i)(H)(*1*).
Regulation VIII—New Source Review				
809	Federal Minor Source New Source Review.	August 25, 2016	March 24, 2020, 85 FR 16555.	Submitted on October 18, 2016. See 40 CFR 52.220(c)(533)(i)(A)(*5*).
810, except for the incorporation by reference of 40 CFR 52.21(b)(49)(v) into sections B and D.3..	Federal Prevention of Significant Deterioration (PSD).	June 20, 2013	November 12, 2015, 80 FR 69880.	Submitted on February 10, 2014. See 40 CFR 52.220(c)(442)(i)(H)(*1*). Approval relies on a letter dated November 25, 2014 from David Van Mullem, Santa Barbara County Air Pollution Control District, to Gerardo Rios, EPA, regarding clarifications of District Rule 810 and 40 CFR 51.166, which is included in tables listing the nonregulatory materials approved as part of the applicable SIP.
Regulation XIII—Part 70 Operating Permit Program				
1301	Part 70 Operating Permits—General Information.	September 18, 1997	November 26, 1997, 62 FR 62949.	Submitted on October 31, 1997. See 40 CFR 52.220(c)(250)(i)(A)(*1*).

TABLE 32—EPA-APPROVED SHASTA COUNTY AIR QUALITY MANAGEMENT DISTRICT REGULATIONS

District citation	Title/subject	State effective date	EPA approval date	Additional explanation
Rule I—Title and Definitions				
1:1	Title	July 22, 1986	April 12, 1989, 54 FR 14648.	Submitted on November 21, 1986. See 40 CFR 52.220(c)(171)(i)(D)(*1*).
1:2	Definitions	February 28, 1977	November 14, 1978, 43 FR 52702.	In the November 14, 1978 action, EPA approved all the definitions, except for ''person,'' for which EPA took no action, and ''modification,'' which EPA disapproved. Several of the approved definitions have been superseded. Submitted on October 13, 1977. See 40 CFR 52.220(c)(41)(xii)(A).
1:2	Definitions	April 8, 1971	August 22, 1977, 42 FR 42219.	All the definitions originally approved on August 22, 1977 have been superseded except for the definition for ''person.'' Submitted on July 19, 1974. See 40 CFR 52.220(c)(24)(vi)(A).
1:2	Definitions	November 27, 1978	January 26, 1982, 47 FR 3550.	Adds a definition for ''facility.'' Submitted on October 15, 1979. See 40 CFR 52.220(c)(52)(xviii)(A).
1:2	Definitions	September 4, 1979	January 26, 1982, 47 FR 3550.	Adds definitions for ''asphalt,'' ''cutback asphalt,'' ''dust palliative,'' ''emulsified asphalt,'' ''penetrating prime coat,'' ''road oils,'' ''and ''tack coat''. Submitted on December 17, 1979. See 40 CFR 52.220(c)(58)(vi)(A).
1:2	Definitions	January 3, 1984	December 5, 1984, 49 FR 47490.	Repeals the definition for ''agricultural producer'' and amends the definitions of ''agricultural operation'' and ''open burning in agricultural operations in the growing and harvesting of crops or raising of fowls or animals.'' Also, this action amends the definition of ''particulate matter,'' but that definition has been superseded. Submitted on April 19, 1984. See 40 CFR 52.220(c)(154)(v)(A).
1:2	Definitions	May 8, 1984	May 9, 1985, 50 FR 19529.	Amends the definition for ''Dusts.'' Submitted on July 10, 1984. See 40 CFR 52.220(c)(155)(vi)(A).

TABLE 32—EPA-APPROVED SHASTA COUNTY AIR QUALITY MANAGEMENT DISTRICT REGULATIONS—Continued

District citation	Title/subject	State effective date	EPA approval date	Additional explanation
1:2	Definitions	July 22, 1986	April 12, 1989, 54 FR 14648.	No action was taken on the definition for ''fugitive emissions.'' Amends the definitions for ''Board,'' ''Control Officer,'' ''District,'' ''Hearing Board,'' ''Indirect Sources,'' ''Miscellaneous Sources,'' ''Non-Traditional Sources,'' ''Regulation,'' ''Residential Rubbish,'' ''Rule'' and ''Standard Conditions.'' Also, this action amends ''Particulate Matter'' but that definition was superseded by approval of an amended version at 54 FR 15180 (April 17, 1989). Submitted on November 21, 1986. See 40 CFR 52.220(c)(171)(i)(D)(*1*).
1:2	Definitions	July 28, 1987	April 17, 1989, 54 FR 15180.	Adds definitions for ''PM_{10},'' ''Populated Areas,'' ''Prescribed Burning,'' ''Sensitive Area,'' and ''Wildland Vegetation Management Burning,'' and amends definitions for ''Agricultural Burning'' and ''Particulate Matter.'' Submitted on November 25, 1987. See 40 CFR 52.220(c)(175)(i)(A)(*1*).
	Rule II—Permits			
2:1A	Permits Required	February 13, 1980	June 18, 1982, 47 FR 26379.	Adopted by CARB for Shasta County APCD through Executive Order G–105. Submitted on February 25, 1980. See 40 CFR 52.220(c)(54)(xii)(A).
2:1, part 500, section 514	New Source Review	May 29, 1984	July 13, 1987, 52 FR 26148.	Part 500 is titled ''Administrative Requirements,'' and section 514 is titled ''Issuance, Permit to Operate.'' Submitted on April 12, 1985. See 40 CFR 52.220(c)(160)(i)(C)(*1*).
2:4	Permit to Sell or Rent	October 12, 1971	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
2:5	Exemptions	November 27, 1978	May 27, 1982, 47 FR 23159.	Submitted on October 15, 1979. See 40 CFR 52.220(c)(52)(xviii)(B).
2:6	Open Burning: General Provisions	March 18, 1980	November 10, 1982, 47 FR 50864.	Paragraphs a.1, a.2, a.4(c), a.7 and b have been superseded by approvals of amendments to Rule 2:6. Submitted on May 20, 1982. See 40 CFR 52.220(c)(125)(iv)(A).
2:6	Open Burning: General Provisions	January 3, 1984	December 5, 1984, 49 FR 47490.	Amends paragraphs a.1 and a.2. Submitted on April 19, 1984. See 40 CFR 52.220(c)(154)(v)(A).
2:6	Open Burning: General Provisions	July 28, 1987	April 17, 1989, 54 FR 15180.	Amends paragraphs a.4(c) and b. Submitted on November 25, 1987. See 40 CFR 52.220(c)(175)(i)(A)(*1*).
2:6	Open Burning: General Provisions	March 24, 1981	November 10, 1982, 47 FR 50864.	Amends paragraph a.7. Submitted on May 20, 1982. See 40 CFR 52.220(c)(125)(iv)(A).
2:6	Agricultural Burning	February 28, 1977	November 14, 1978, 43 FR 52702.	All the provisions of this rule have been superseded by subsequent approvals of Rules 2:7 and 2:8 except for section (1)(General Provisions), paragraphs (d) (''Burning Report'') and (e) (''Penalty and Enforcement Provisions''). Submitted on October 13, 1977. See 40 CFR 52.220(c)(41)(xii)(A).
2:7	Conditions for Open Burning	March 18, 1980	November 10, 1982, 47 FR 50864.	Paragraphs a and c have been superseded by approvals of amendments to Rule 2:7. Submitted on May 20, 1982. See 40 CFR 52.220(c)(125)(iv)(A).
2:7	Conditions for Open Burning	July 28, 1987	April 17, 1989, 54 FR 15180.	Amends paragraphs a and c. Submitted on November 25, 1987. See 40 CFR 52.220(c)(175)(i)(A)(*1*).
2:7	Prohibited Materials	February 28, 1977	November 14, 1978, 43 FR 52702.	Submitted on October 13, 1977. See 40 CFR 52.220(c)(41)(xii)(A).
2:8	Agricultural Burning	March 18, 1980	November 10, 1982, 47 FR 50864.	Paragraphs b.3, b.4, c.2.(a) and c.3.(a) have been superseded by approvals of amendments to Rule 2:8. Submitted on May 20, 1982. See 40 CFR 52.220(c)(125)(iv)(A).
2:8	Agricultural Burning	March 24, 1981	November 10, 1982, 47 FR 50864.	Amends paragraphs b.3 and b.4. Submitted on May 20, 1982. See 40 CFR 52.220(c)(125)(iv)(A).
2:8	Agricultural Burning	July 28, 1987	April 17, 1989, 54 FR 15180.	Amends paragraphs c.2.(a) and c.3.(a) and adds paragraph c.4. Submitted on November 25, 1987. See 40 CFR 52.220(c)(175)(i)(A)(*1*).
2:10	Action on Applications Interim Variance.	October 12, 1971	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
2:12	Standards for Granting Applications	October 12, 1971	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
2:12	Expiration of Applications	November 27, 1978	January 26, 1982, 47 FR 3550.	Submitted on October 15, 1979. See 40 CFR 52.220(c)(52)(xviii)(A).

TABLE 32—EPA-APPROVED SHASTA COUNTY AIR QUALITY MANAGEMENT DISTRICT REGULATIONS—Continued

District citation	Title/subject	State effective date	EPA approval date	Additional explanation
2:14	Denial of Applications	October 12, 1971	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
2:14	Testing Facilities	December 4, 1972	August 22, 1977, 42 FR 42219.	Submitted on July 19, 1974. See 40 CFR 52.220(c)(24)(vi)(A).
2:18	Transfer	October 12, 1971	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
2:21	Defacing Permit	October 12, 1971	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
2:23	Posting of Permit to Operate	July 22, 1986	April 12, 1989, 54 FR 14648.	Submitted on November 21, 1986. See 40 CFR 52.220(c)(171)(i)(D)(*1*).
2:25	Public Records—Trade Secrets	October 1, 1973	August 22, 1977, 42 FR 42219.	Submitted on July 19, 1974. See 40 CFR 52.220(c)(24)(vi)(A).
Rule III—Prohibitions and Enforcement				
3:1	Applicability of State Laws	October 15, 1974	August 22, 1977, 42 FR 42219.	Submitted on January 10, 1975. See 40 CFR 52.220(c)(26)(x)(A).
3:2	Specific Air Contaminants	July 22, 1986	April 12, 1989, 54 FR 14648.	Submitted on November 21, 1986. See 40 CFR 52.220(c)(171)(i)(D)(*1*).
3:3	Gasoline Loading and Transfer	July 22, 1986	April 12, 1989, 54 FR 14648.	Only the title was amended. Submitted on November 21, 1986. See 40 CFR 52.220(c)(171)(i)(D)(*1*).
3:3	Gasoline Loading and Transfer in the Sacramento Valley.	July 1, 1980	January 26, 1982, 47 FR 3550.	The rescission of paragraph b was approved at 49 FR 39057 (October 3, 1984). Submitted on August 15, 1980. See 40 CFR 52.220(c)(70)(iii)(A).
3:4	Industrial Use of Organic Solvents	January 3, 1984	July 13, 1987, 52 FR 26148.	Amends paragraphs a and b. Submitted on April 19, 1984. See 40 CFR 52.220(c)(154)(v)(B).
3:4	Industrial Use of Organic Solvents	September 18, 1978	January 26, 1982, 47 FR 3550.	Amends paragraph c, redesignates paragraph d as paragraph e and adds a new paragraph d. Submitted on May 23, 1979. See 40 CFR 52.220(c)(51)(xvii)(A).
3:4	Industrial Use of Organic Solvents	May 17, 1983	October 3, 1984, 49 FR 39057.	Amends paragraph d.2. Submitted on July 19, 1983. See 40 CFR 52.220(c)(137)(vi)(B).
3:4	Industrial Use of Organic Solvents	February 28, 1977	November 14, 1978, 43 FR 52702.	Adds paragraph d, which was redesignated as paragraph e at 47 FR 3550 (January 26, 1982). Submitted on October 13, 1977. See 40 CFR 52.220(c)(41)(xii)(A).
3:5	Agricultural Uses	October 1, 1973	August 22, 1977, 42 FR 42219.	Submitted on July 19, 1974. See 40 CFR 52.220(c)(24)(vi)(A).
3:6	Circumvention	October 1, 1973	August 22, 1977, 42 FR 42219.	Submitted on July 19, 1974. See 40 CFR 52.220(c)(24)(vi)(A).
3:8	Enhanced Monitoring and Compliance Certification for Major Sources as Defined by Title V of the Federal Clean Air Act.	February 1, 1995	August 28, 2014, 79 FR 51261.	Submitted on February 24, 1995. See 40 CFR 52.220(c)(215)(i)(G)(*1*).
3:9	Recommendation of Control Officer	October 1, 1973	August 22, 1977, 42 FR 42219.	Submitted on July 19, 1974. See 40 CFR 52.220(c)(24)(vi)(A).
3:11	Local Rules	October 1, 1973	August 22, 1977, 42 FR 42219.	Submitted on July 19, 1974. See 40 CFR 52.220(c)(24)(vi)(A).
3:12	Reduction of Matter of Animal Origin (Except the Curing of Glue).	May 8, 1973	August 22, 1977, 42 FR 42219.	Submitted on July 19, 1974. See 40 CFR 52.220(c)(24)(vi)(A).
3:14	Petroleum Solvent Dry Cleaners	July 31, 1979	January 26, 1982, 47 FR 3550.	Submitted on December 17, 1979. See 40 CFR 52.220(c)(58)(vi)(A).
3:15	Cutback Asphalt Paving Materials	September 4, 1979	January 26, 1982, 47 FR 3550.	Paragraph (c) was superseded by approval of a revised version of that paragraph at 49 FR 39057 (October 3, 1984). Submitted on December 17, 1979. See 40 CFR 52.220(c)(58)(vi)(A).
3:15 (paragraph (c))	Cutback Asphalt Paving Materials	May 17, 1983	October 3, 1984, 49 FR 39057.	Submitted on July 19, 1983. See 40 CFR 52.220(c)(137)(vi)(B).
3:17	Organic Solvent Degreasing Operations.	February 19, 1980	January 26, 1982, 47 FR 3550.	Submitted on June 2, 1980. See 40 CFR 52.220(c)(79)(vi)(A).

TABLE 33—EPA-APPROVED SISKIYOU COUNTY AIR POLLUTION CONTROL DISTRICT REGULATIONS

District citation	Title/subject	State effective date	EPA approval date	Additional explanation
Regulation I—General Provisions				
1.1	Title	November 25, 1986	April 12, 1989, 54 FR 14648.	Submitted on March 18, 1987. See 40 CFR 52.220(c)(172)(i)(A)(*1*).
1.2 (except section V1)	Definitions	January 24, 1989	November 4, 1996, 61 FR 56629.	Approval did not include section V1, *i.e.*, the definition for ''Variance.'' Submitted on March 26, 1990. See 40 CFR 52.220(c)(179)(i)(E)(*1*).

TABLE 33—EPA-APPROVED SISKIYOU COUNTY AIR POLLUTION CONTROL DISTRICT REGULATIONS—Continued

District citation	Title/subject	State effective date	EPA approval date	Additional explanation
1.2 (section V1)	Definitions	November 25, 1986	April 12, 1989, 54 FR 14648.	All the definitions have been superseded by approval of amended Rule 1.2 at 61 FR 56629 (November 4, 1996) except for the definition in Section V1, *i.e.*, the definition for ''Variance.'' Submitted on March 18, 1987. See 40 CFR 52.220(c)(172)(i)(A)(*1*).
1.3	Public Records	November 25, 1986	April 12, 1989, 54 FR 14648.	Submitted on March 18, 1987. See 40 CFR 52.220(c)(172)(i)(A)(*1*).
1.5	Orders for Abatement	October 26, 1971	May 31, 1972, 37 FR 10842.	Submitted on February 21, 1972. See 40 CFR 52.220(b).
1.5	Validity	November 25, 1986	April 12, 1989, 54 FR 14648.	Submitted on March 18, 1987. See 40 CFR 52.220(c)(172)(i)(A)(*1*).
Regulation II—Permit System				
2.1	Permits Required	January 24, 1989	November 4, 1996, 61 FR 56629.	Submitted on March 26, 1990. See 40 CFR 52.220(c)(179)(i)(E)(*1*).
2.2	Exemptions	January 24, 1989	November 4, 1996, 61 FR 56629.	Submitted on March 26, 1990. See 40 CFR 52.220(c)(179)(i)(E)(*1*).
2.3	Transfers	November 25, 1986	April 12, 1989, 54 FR 14648.	Submitted on March 18, 1987. See 40 CFR 52.220(c)(172)(i)(A)(*1*).
2.5	Cancellation of Applications	October 26, 1971	May 31, 1972, 37 FR 10842.	Submitted on February 21, 1972. See 40 CFR 52.220(b).
2.7	Provision of Sampling and Testing Facilities.	October 26, 1971	May 31, 1972, 37 FR 10842.	Submitted on February 21, 1972. See 40 CFR 52.220(b).
2.7	Conditional Approval	November 25, 1986	April 12, 1989, 54 FR 14648.	Submitted on March 18, 1987. See 40 CFR 52.220(c)(172)(i)(A)(*1*).
2.8	Standards for Granting Applications	October 26, 1971	May 31, 1972, 37 FR 10842.	Submitted on February 21, 1972. See 40 CFR 52.220(b).
2.11	Monitoring Requirements	November 25, 1986	April 12, 1989, 54 FR 14648.	Submitted on March 18, 1987. See 40 CFR 52.220(c)(172)(i)(A)(*1*).
2.12	Equipment Breakdown	November 25, 1986	April 12, 1989, 54 FR 14648.	Submitted on March 18, 1987. See 40 CFR 52.220(c)(172)(i)(A)(*1*).
2.15	Standards for Permits to Operate	May 23, 1979	June 18, 1982, 47 FR 26379.	Submitted on October 15, 1979. See 40 CFR 52.220(c)(52)(xxi)(A).
2.16	State Ambient Air Quality Standards	May 23, 1979	June 18, 1982, 47 FR 26379.	Submitted on October 15, 1979. See 40 CFR 52.220(c)(52)(xxi)(A).
Regulation IV—Prohibitions				
4.1	Visible Emissions	January 24, 1989	November 4, 1996, 61 FR 56629.	Submitted on March 26, 1990. See 40 CFR 52.220(c)(179)(i)(E)(*1*).
4.3	Non-Agricultural Burning	January 24, 1989	August 19, 1999, 64 FR 45170.	Submitted on March 26, 1990. See 40 CFR 52.220(c)(179)(i)(E)(*3*).
4.4	Specific Air Contaminants	October 27, 1987	October 23, 1989, 54 FR 43174.	Submitted on March 23, 1988. See 40 CFR 52.220(c)(176)(i)(A)(*1*).
4.5	Particulate Matter	October 27, 1987	October 23, 1989, 54 FR 43174.	Submitted on March 23, 1988. See 40 CFR 52.220(c)(176)(i)(A)(*1*).
4.6	Circumvention	January 24, 1989	November 4, 1996, 61 FR 56629.	Submitted on March 26, 1990. See 40 CFR 52.220(c)(179)(i)(E)(*1*).
4.7	Gasoline Storage	October 27, 1987	October 23, 1989, 54 FR 43174.	Submitted on March 23, 1988. See 40 CFR 52.220(c)(176)(i)(A)(*1*).
4.8	Combination of Emissions	October 27, 1987	October 23, 1989, 54 FR 43174.	Submitted on March 23, 1988. See 40 CFR 52.220(c)(176)(i)(A)(*1*).
4.9	Separation of Emissions	October 27, 1987	October 23, 1989, 54 FR 43174.	Submitted on March 23, 1988. See 40 CFR 52.220(c)(176)(i)(A)(*1*).
4.10	Reduction of Animal Matter	January 24, 1989	June 3, 1999, 64 FR 29790.	Submitted on March 26, 1990. See 40 CFR 52.220(c)(179)(i)(E)(*2*).
4.11	Orchard and Citrus Heaters	October 27, 1987	October 23, 1989, 54 FR 43174.	Submitted on March 23, 1988. See 40 CFR 52.220(c)(176)(i)(A)(*1*).
4.14	Sulfur Contents of Fuels	July 11, 1989	June 8, 1999, 64 FR 30396.	Submitted on December 31, 1990. See 40 CFR 52.220(c)(182)(i)(G)(*1*).
Regulation VI—New Source Siting				
6.1	Standards for Permits to Construct	January 24, 1989	November 4, 1996, 61 FR 56629.	Submitted on March 26, 1990. See 40 CFR 52.220(c)(179)(i)(E)(*1*).
Regulation VII—Agricultural Burning				
Unnumbered	General Provisions	September 24, 1980	January 26, 1982, 47 FR 3549.	Submitted on January 28, 1981. See 40 CFR 52.220(c)(98)(ii)(A).
7.1	Definitions	October 27, 1987	October 23, 1989, 54 FR 43174.	Submitted on March 23, 1988. See 40 CFR 52.220(c)(176)(i)(A)(*1*). The definition of ''Approved Ignition Device'' was superseded by approval of an amended definition of that term at 64 FR 35005 (June 30, 1999).
7.1	Definitions	July 11, 1989	June 30, 1999, 64 FR 35005.	Amends section M., i.e., the definition of ''Approved Ignition Device.'' Submitted on December 31, 1990. See 40 CFR 52.220(c)(182)(i)(G)(*2*).

TABLE 33—EPA-APPROVED SISKIYOU COUNTY AIR POLLUTION CONTROL DISTRICT REGULATIONS—Continued

District citation	Title/subject	State effective date	EPA approval date	Additional explanation
7.2	Notification of Burning Conditions	October 27, 1987	October 23, 1989, 54 FR 43174.	Submitted on March 23, 1988. See 40 CFR 52.220(c)(176)(i)(A)(*1*).
7.3	Exceptions	October 27, 1987	October 23, 1989, 54 FR 43174.	Submitted on March 23, 1988. See 40 CFR 52.220(c)(176)(i)(A)(*1*).
7.4	Enforcement	October 27, 1987	October 23, 1989, 54 FR 43174.	Submitted on March 23, 1988. See 40 CFR 52.220(c)(176)(i)(A)(*1*).
7.5–1	Prohibitions—General	October 27, 1987	October 23, 1989, 54 FR 43174.	Submitted on March 23, 1988. See 40 CFR 52.220(c)(176)(i)(A)(*1*).
7.5–2	Prohibitions—Range Improvement Burning.	October 27, 1987	October 23, 1989, 54 FR 43174.	Submitted on March 23, 1988. See 40 CFR 52.220(c)(176)(i)(A)(*1*).
7.5–3	Prohibitions—Wildland Vegetation Management Burning.	October 27, 1987	October 23, 1989, 54 FR 43174.	Submitted on March 23, 1988. See 40 CFR 52.220(c)(176)(i)(A)(*1*).
7.6	Burning Permits	October 27, 1987	October 23, 1989, 54 FR 43174.	Submitted on March 23, 1988. See 40 CFR 52.220(c)(176)(i)(A)(*1*).
7.7	Agricultural Burning Reports	October 27, 1987	October 23, 1989, 54 FR 43174.	Submitted on March 23, 1988. See 40 CFR 52.220(c)(176)(i)(A)(*1*).
Appendices				
Appendix A	List/Criteria for Permit Applications	January 24, 1989	November 4, 1996, 61 FR 56629.	Submitted on March 26, 1990. See 40 CFR 52.220(c)(179)(i)(E)(*1*).

TABLE 34—EPA-APPROVED SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT REGULATIONS; LOS ANGELES COUNTY AIR POLLUTION CONTROL DISTRICT REGULATIONS; ORANGE COUNTY AIR POLLUTION CONTROL DISTRICT REGULATIONS; RIVERSIDE COUNTY AIR POLLUTION CONTROL DISTRICT REGULATIONS; SAN BERNARDINO COUNTY AIR POLLUTION CONTROL DISTRICT REGULATIONS

District citation	Title/subject	State effective date	EPA approval date	Additional explanation
[Reserved]				

TABLE 35—EPA-APPROVED TEHAMA COUNTY AIR POLLUTION CONTROL DISTRICT REGULATIONS

District citation	Title/subject	State effective date	EPA approval date	Additional explanation
Regulation I—General Provisions				
1:1	Title	August 10, 1971	May 31, 1972, 37 FR 10842.	Submitted on February 21, 1972. See 40 CFR 52.220(b).
1:2	Definitions	April 25, 1989	June 30, 1999, 64 FR 35005.	Submitted on May 13, 1991. See 40 CFR 52.220(c)(184)(i)(F)(*1*).
Regulation II—Permit and Registration				
2:1	General Requirements	May 23, 1979	April 12, 1982, 47 FR 15585.	Submitted on May 23, 1979. See 40 CFR 52.220(c)(51)(xix)(A).
2:2	Permits Required	August 10, 1971	May 31, 1972, 37 FR 10842.	Submitted on February 21, 1972. See 40 CFR 52.220(b).
2:3	Registration or Permit to Operate	August 10, 1971	May 31, 1972, 37 FR 10842.	Submitted on February 21, 1972. See 40 CFR 52.220(b).
2:3C	New and Modified Major Sources in the Tuscan Buttes Nonattainment Areas.	February 28, 2023	May 8, 2025, 90 FR 19426.	Submitted electronically on May 11, 2023, as an attachment to a letter dated May 10, 2023. See 40 CFR 52.220(c)(610)(i)(F)(*1*).
2:4	Exemptions from Permit and Registration.	August 10, 1971	May 31, 1972, 37 FR 10842.	Submitted on February 21, 1972. See 40 CFR 52.220(b).
2:5	Standards for Granting Applications for Permits.	August 10, 1971	May 31, 1972, 37 FR 10842.	Submitted on February 21, 1972. See 40 CFR 52.220(b).
2:5A	Standards for Granting Applications	February 13, 1980	April 12, 1982, 47 FR 15585.	Adopted by CARB on February 13, 1980 through Executive Order G–107 for the Tehama County APCD. Submitted on February 25, 1980. See 40 CFR 52.220(c)(54)(ix)(A).
2:5B	Conditional Approval	February 13, 1980	April 12, 1982, 47 FR 15585.	Adopted by CARB on February 13, 1980 through Executive Order G–107 for the Tehama County APCD. Submitted on February 25, 1980. See 40 CFR 52.220(c)(54)(ix)(A).
2:6	Conditional Approval	August 10, 1971	May 31, 1972, 37 FR 10842.	Submitted on February 21, 1972. See 40 CFR 52.220(b).
2:13	Transfers	September 10, 1985	February 3, 1987, 52 FR 3226.	Submitted on February 10, 1986. See 40 CFR 52.220(c)(168)(i)(E)(*1*).
2:14	Cancellation of Permits	September 10, 1985	February 3, 1987, 52 FR 3226.	Submitted on February 10, 1986. See 40 CFR 52.220(c)(168)(i)(E)(*1*).
2:15	Posting of Permit	September 10, 1985	February 3, 1987, 52 FR 3226.	Submitted on February 10, 1986. See 40 CFR 52.220(c)(168)(i)(E)(*1*).
2:16	Defacing	September 10, 1985	February 3, 1987, 52 FR 3226.	Submitted on February 10, 1986. See 40 CFR 52.220(c)(168)(i)(E)(*1*).
2:17	Public Records—Trade Secrets	September 10, 1985	February 3, 1987, 52 FR 3226.	Submitted on February 10, 1986. See 40 CFR 52.220(c)(168)(i)(E)(*1*).

TABLE 35—EPA-APPROVED TEHAMA COUNTY AIR POLLUTION CONTROL DISTRICT REGULATIONS—Continued

District citation	Title/subject	State effective date	EPA approval date	Additional explanation
2:20	Emissions Statement	March 1, 2022	March 18, 2025, 90 FR 12459.	Submitted on July 5, 2022. See 40 CFR 52.220(c)(607)(i)(D)(*1*).
Regulation III—Agricultural Burning				
3:1	Definitions	October 17, 1980	April 12, 1982, 47 FR 15585.	Submitted on December 15, 1980. See 40 CFR 52.220(c)(85)(vi)(A).
3:1 (paragraphs (c) through (f)).	Definitions	August 4, 1987	April 17, 1989, 54 FR 15180.	Adds definitions for ''wildland vegetation management burning,'' ''prescribed burning,'' ''populated area,'' and ''sensitive area.'' Submitted on November 25, 1987. See 40 CFR 52.220(c)(175)(i)(B)(*1*).
3:2	Burning on No-Burn Days	October 17, 1980	April 12, 1982, 47 FR 15585.	Submitted on December 15, 1980. See 40 CFR 52.220(c)(85)(vi)(A).
3:3	Exceptions	October 17, 1980	April 12, 1982, 47 FR 15585.	Submitted on December 15, 1980. See 40 CFR 52.220(c)(85)(vi)(A).
3:4	Fire Prevention	October 17, 1980	April 12, 1982, 47 FR 15585.	Submitted on December 15, 1980. See 40 CFR 52.220(c)(85)(vi)(A).
3:5	Burning Permits	October 17, 1980	April 12, 1982, 47 FR 15585.	Submitted on December 15, 1980. See 40 CFR 52.220(c)(85)(vi)(A).
3:6	Preparation of Agricultural Wastes	October 17, 1980	April 12, 1982, 47 FR 15585.	Submitted on December 15, 1980. See 40 CFR 52.220(c)(85)(vi)(A).
3:6 (paragraph (d)(1))	Preparation of Agricultural Wastes	August 4, 1987	April 17, 1989, 54 FR 15180.	Amends paragraph (d)(1). Submitted on November 25, 1987. See 40 CFR 52.220(c)(175)(i)(B)(*1*).
3:7	Ignition Methods	October 17, 1980	April 12, 1982, 47 FR 15585.	Submitted on December 15, 1980. See 40 CFR 52.220(c)(85)(vi)(A).
3:8	Ignition Devices	October 17, 1980	April 12, 1982, 47 FR 15585.	Submitted on December 15, 1980. See 40 CFR 52.220(c)(85)(vi)(A).
3:9	Burning Hours	October 17, 1980	April 12, 1982, 47 FR 15585.	Submitted on December 15, 1980. See 40 CFR 52.220(c)(85)(vi)(A).
3:10	Restricted Burning Days	October 17, 1980	April 12, 1982, 47 FR 15585.	Submitted on December 15, 1980. See 40 CFR 52.220(c)(85)(vi)(A).
3:11	Restricted Burning	October 17, 1980	April 12, 1982, 47 FR 15585.	Submitted on December 15, 1980. See 40 CFR 52.220(c)(85)(vi)(A).
3:11 (paragraph (a))	Restricted Burning	August 4, 1987	April 17, 1989, 54 FR 15180.	Amends paragraph (a). Submitted on November 25, 1987. See 40 CFR 52.220(c)(175)(i)(B)(*1*).
3:12	Wildland Vegetation Management Burning.	April 25, 1989	August 19, 1999, 64 FR 45170.	Submitted on May 13, 1991. See 40 CFR 52.220(c)(184)(i)(F)(*2*).
3:12	Range Improvement Burning	October 17, 1980	April 12, 1982, 47 FR 15585.	Submitted on December 15, 1980. See 40 CFR 52.220(c)(85)(vi)(A).
3:13 (paragraph ((j)	Range Improvement Burning	August 4, 1987	April 17, 1989, 54 FR 15180.	Adds paragraph (j). Submitted on November 25, 1987. See 40 CFR 52.220(c)(175)(i)(B)(*1*).
3:13	Forest Management Burning	October 17, 1980	April 12, 1982, 47 FR 15585.	Submitted on December 15, 1980. See 40 CFR 52.220(c)(85)(vi)(A).
3:14 (paragraph (a)(10))	Forest Management Burning	August 4, 1987	April 17, 1989, 54 FR 15180.	Adds paragraph (a)(10). Submitted on November 25, 1987. See 40 CFR 52.220(c)(175)(i)(B)(*1*).
Regulation IV—Prohibitions				
4:1	Visible Emissions	October 17, 1980	April 12, 1982, 47 FR 15585.	Submitted on December 15, 1980. See 40 CFR 52.220(c)(85)(vi)(A).
4:2	Orchard Heaters	October 17, 1980	April 12, 1982, 47 FR 15585.	Submitted on December 15, 1980. See 40 CFR 52.220(c)(85)(vi)(A).
4:3	Particulate Matter	September 10, 1985	July 12, 1990, 55 FR 28622.	Submitted on February 10, 1986. See 40 CFR 52.220(c)(168)(i)(E)(*2*).
4:3	Particulate Matter	August 4, 1987	April 17, 1989, 54 FR 15180.	Adds an exception that establishes a higher limit for certain sources above 500 foot elevation. Submitted on November 25, 1987. See 40 CFR 52.220(c)(175)(i)(B)(*1*).
4:5	Reduction of Animal Matter	August 10, 1971	May 31, 1972, 37 FR 10842.	Submitted on February 21, 1972. See 40 CFR 52.220(b).
4:6	Open Burning	October 17, 1980	April 12, 1982, 47 FR 15585.	Submitted on December 15, 1980. See 40 CFR 52.220(c)(85)(vi)(A).
4:7	Incinerator Burning	October 17, 1980	April 12, 1982, 47 FR 15585.	Submitted on December 15, 1980. See 40 CFR 52.220(c)(85)(vi)(A).
4:8	Dust and Condensed Fumes	September 10, 1985	July 12, 1990, 55 FR 28622.	Submitted on February 10, 1986. See 40 CFR 52.220(c)(168)(i)(E)(*2*).
4:9	Specific Contaminants	August 10, 1971	May 31, 1972, 37 FR 10842.	Submitted on February 21, 1972. See 40 CFR 52.220(b).
4:9	Specific Contaminants	September 10, 1985	July 12, 1990, 55 FR 28622.	Amends sulfur compound limit in paragraph (a) to 250 ppm and combustion contaminants limit in paragraph (b) to 0.15 grains per cubic foot of gas. Submitted on February 10, 1986. See 40 CFR 52.220(c)(168)(i)(E)(*2*).
4:10	Sulfur Content of Fuels	September 10, 1985	July 12, 1990, 55 FR 28622.	Submitted on February 10, 1986. See 40 CFR 52.220(c)(168)(i)(E)(*2*).
4:11	Circumvention	August 10, 1971	May 31, 1972, 37 FR 10842.	Submitted on February 21, 1972. See 40 CFR 52.220(b).
4:12	Storage of Petroleum Products	August 10, 1971	May 31, 1972, 37 FR 10842.	Submitted on February 21, 1972. See 40 CFR 52.220(b).

TABLE 35—EPA-APPROVED TEHAMA COUNTY AIR POLLUTION CONTROL DISTRICT REGULATIONS—Continued

District citation	Title/subject	State effective date	EPA approval date	Additional explanation
4:14	Fuel Burning Equipment	November 3, 1998	September 15, 2000, 65 FR 55910.	Submitted on May 13, 1999. See 40 CFR 52.220(c)(263)(i)(D)(*2*).
4:15	Separation of Emissions	August 10, 1971	May 31, 1972, 37 FR 10842.	Submitted on February 21, 1972. See 40 CFR 52.220(b).
4:16	Combination of Emissions	August 10, 1971	May 31, 1972, 37 FR 10842.	Submitted on February 21, 1972. See 40 CFR 52.220(b).
4:18	Disclosure of Data	May 28, 1974	May 11, 1977, 42 FR 23803; corrected on August 22, 1977, 42 FR 42219.	Submitted on July 19, 1974. See 40 CFR 52.220(c)(24)(v)(A).
4:22	Industrial Use of Organic Solvents	August 4, 1987	October 10, 2001, 66 FR 51566.	Submitted on November 25, 1987. See 40 CFR 52.220(c)(175)(i)(B)(*2*).
4:24	Fugitive, Indirect, and Non-Traditional Sources.	August 4, 1987	April 17, 1989, 54 FR 15180.	Submitted on November 25, 1987. See 40 CFR 52.220(c)(175)(i)(B)(*1*).
4:31	Industrial, Institutional, and Commercial Boilers, Steam Generators, and Process Heaters.	January 29, 2002	May 14, 2002, 67 FR 34405.	Submitted on February 8, 2002. See 40 CFR 52.220(c)(295)(i)(A)(*1*).
4:34	Stationary Internal Combustion Engines.	June 3, 1997	September 19, 2000, 65 FR 56486; corrected on January 16, 2004, 69 FR 2509.	Submitted on May 13, 1999. See 40 CFR 52.220(c)(263)(i)(D)(*1*).
4:37	Determination of Reasonably Available Control Technology for the Control of Oxides of Nitrogen from Stationary Gas Turbines.	January 29, 2002	May 14, 2002, 67 FR 34405.	Submitted on February 8, 2002. See 40 CFR 52.220(c)(295)(i)(A)(*1*).

TABLE 36—EPA-APPROVED TUOLUMNE COUNTY AIR POLLUTION CONTROL DISTRICT REGULATIONS

District citation	Title/subject	State effective date	EPA approval date	Additional explanation
Original Codification of Rules and Regulations				
Regulation IV—Prohibitions				
56	Sulfur Oxide Emissions	January 1, 1972	May 31, 1972, 37 FR 10842.	Submitted on February 21, 1972. See 40 CFR 52.220(b).
57	Sulfide Emission Standard	January 1, 1972	May 31, 1972, 37 FR 10842.	Submitted on February 21, 1972. See 40 CFR 52.220(b).
62	Review of Standards	January 1, 1972	May 31, 1972, 37 FR 10842.	Submitted on February 21, 1972. See 40 CFR 52.220(b).
1972 Re-Codification of Rules and Regulations				
Regulation II—Permits				
201 (paragraphs (a) and (e)).	Permits Required	February 1, 1972	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6). Paragraphs (b) (''Permit to Operate''), (c) (''Posting of Permit to Operate'') and (d) (''Altering of Permit'') have been superseded by approval of Rules 501 (Permit Required) and 508 (Posting of Permit to Operate) at 47 FR 23159 (May 27, 1982).
202	Exemptions	February 1, 1972	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
203	Transfer	February 1, 1972	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
204	Applications	February 1, 1972	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
205	Cancellation of Construction Permit	February 1, 1972	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
206	Action on Applications	February 1, 1972	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
208	Standards for Granting Applications	February 1, 1972	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
209	Conditional Approval	February 1, 1972	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
210	Denial of Applications	February 1, 1972	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).

TABLE 36—EPA-APPROVED TUOLUMNE COUNTY AIR POLLUTION CONTROL DISTRICT REGULATIONS—Continued

District citation	Title/subject	State effective date	EPA approval date	Additional explanation
211	Further Information	February 1, 1972	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
212	Applications Deemed Denied	February 1, 1972	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
Regulation IV—Prohibitions				
407 (paragraph (b))	Specific Contaminants	February 1, 1972	September 22, 1972, 37 FR 19812.	Paragraph (b) relates to combustion contaminants. Submitted on June 30, 1972. See 40 CFR 52.220(c)(6). Paragraph (a) was superseded by approval of Rule 210 (Sulfur Emissions) (paragraph (a)) at 42 FR 42219 (August 22, 1977).
408	Fuel Burning Equipment	February 1, 1972	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
413	Organic Liquid Loading	February 1, 1972	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
414	Effluent Oil Water Separators	February 1, 1972	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
422	Architectural Coatings	June 1, 1972	September 22, 1972, 37 FR 19812.	Adopted by CARB via Resolution 72–75 for the Tuolumne County APCD. Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
423	Disposal and Evaporation of Solvents	June 1, 1972	September 22, 1972, 37 FR 19812.	Adopted by CARB via Resolution 72–75 for the Tuolumne County APCD. Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
Regulation VI—Emergencies				
601	General	February 1, 1972	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
602	Sampling Stations	February 1, 1972	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
603	Air Sampling	February 1, 1972	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
604	Reports	February 1, 1972	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
605	Declaration of Alerts	February 1, 1972	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
606	End of an Alert	February 1, 1972	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
607	Plans	February 1, 1972	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
608	First Alert Action	February 1, 1972	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
609	Second Alert Action	February 1, 1972	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
610	Third Alert Action	February 1, 1972	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
611	Industrial and Commercial Shut-Down Plans.	February 1, 1972	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
612	Scientific Committee	February 1, 1972	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
613	Emergency Action Committee	February 1, 1972	September 22, 1972, 37 FR 19812.	Submitted on June 30, 1972. See 40 CFR 52.220(c)(6).
1975 Re-Codification of Rules and Regulations				
Regulation I—Title and Definitions				
101	Title	November 22, 1988	June 30, 1999, 64 FR 35005.	Submitted on March 26, 1990. See 40 CFR 52.220(c)(179)(i)(G)(*1*).
102	Definitions	November 22, 1988	June 30, 1999, 64 FR 35005.	Submitted on March 26, 1990. See 40 CFR 52.220(c)(179)(i)(G)(*1*).

TABLE 36—EPA-APPROVED TUOLUMNE COUNTY AIR POLLUTION CONTROL DISTRICT REGULATIONS—Continued

District citation	Title/subject	State effective date	EPA approval date	Additional explanation
Regulation II—Prohibitions				
201	District-Wide Coverage	May 6, 1975	August 22, 1977, 42 FR 42219.	Submitted on July 22, 1975. See 40 CFR 52.220(c)(28)(v)(A).
202	Visible Emissions	October 1, 1976	December 6, 1979, 44 FR 70140.	Submitted on February 10, 1977. See 40 CFR 52.220(c)(37)(v)(B).
203	Exceptions	September 8, 1981	May 27, 1982, 47 FR 23159.	Submitted on October 23, 1981. See 40 CFR 52.220(c)(103)(xvii)(A).
204	Wet Plumes	May 6, 1975	August 22, 1977, 42 FR 42219.	Submitted on July 22, 1975. See 40 CFR 52.220(c)(28)(v)(A).
206	Incinerator Burning and Pathological Incineration.	October 1, 1976	December 6, 1979, 44 FR 70140.	Submitted on February 10, 1977. See 40 CFR 52.220(c)(37)(v)(B).
207	Particulate Matter	January 23, 1979	May 18, 1981, 46 FR 27115.	Submitted on October 15, 1979. See 40 CFR 52.220(c)(52)(xiv)(A).
208	Orchard or Citrus Heaters	October 1, 1976	December 6, 1979, 44 FR 70140.	Submitted on February 10, 1977. See 40 CFR 52.220(c)(37)(v)(B).
210	Sulfur Emissions	May 6, 1975	August 22, 1977, 42 FR 42219.	Submitted on July 22, 1975. See 40 CFR 52.220(c)(28)(v)(A).
211	Process Weight Per Hour	May 6, 1975	August 22, 1977, 42 FR 42219.	Submitted on July 22, 1975. See 40 CFR 52.220(c)(28)(v)(A).
212	Process Weight Table	May 6, 1975	August 22, 1977, 42 FR 42219.	Submitted on July 22, 1975. See 40 CFR 52.220(c)(28)(v)(A).
213	Storage of Petroleum Products	October 1, 1976	December 6, 1979, 44 FR 70140.	Submitted on February 10, 1977. See 40 CFR 52.220(c)(37)(v)(B).
214	Reduction of Animal Matter	May 6, 1975	August 22, 1977, 42 FR 42219.	Submitted on July 22, 1975. See 40 CFR 52.220(c)(28)(v)(A).
215	Abrasive Blasting	October 1, 1976	December 6, 1979, 44 FR 70140.	Submitted on February 10, 1977. See 40 CFR 52.220(c)(37)(v)(B).
217	Existing Sources	October 1, 1976	December 6, 1979, 44 FR 70140.	Submitted on February 10, 1977. See 40 CFR 52.220(c)(37)(v)(B).
218	Compliance Tests	January 23, 1979	May 18, 1981, 46 FR 27115.	Submitted on October 15, 1979. See 40 CFR 52.220(c)(52)(xiv)(A).
Regulation III—Open Burning				
300	General Definitions	November 22, 1988	June 30, 1999, 64 FR 35005.	Submitted on March 26, 1990. See 40 CFR 52.220(c)(179)(i)(G)(*1*).
302	Burning Permits	November 22, 1988	August 19, 1999, 64 FR 45170.	Submitted on March 26, 1990. See 40 CFR 52.220(c)(179)(i)(G)(*2*).
303	Burn or No-Burn Day	November 22, 1988	August 19, 1999, 64 FR 45170.	Submitted on March 26, 1990. See 40 CFR 52.220(c)(179)(i)(G)(*2*).
304	Burning Management Requirements	November 22, 1988	August 19, 1999, 64 FR 45170.	Submitted on March 26, 1990. See 40 CFR 52.220(c)(179)(i)(G)(*2*).
305	Minimum Drying Times	November 22, 1988	August 19, 1999, 64 FR 45170.	Submitted on March 26, 1990. See 40 CFR 52.220(c)(179)(i)(G)(*2*).
306	Agricultural Burning	November 22, 1988	August 19, 1999, 64 FR 45170.	Submitted on March 26, 1990. See 40 CFR 52.220(c)(179)(i)(G)(*2*).
307	Wildland Vegetation Management Burning.	November 22, 1988	August 19, 1999, 64 FR 45170.	Submitted on March 26, 1990. See 40 CFR 52.220(c)(179)(i)(G)(*2*).
308	Forest Management Burning	November 22, 1988	August 19, 1999, 64 FR 45170.	Submitted on March 26, 1990. See 40 CFR 52.220(c)(179)(i)(G)(*2*).
309	Range Improvement Burning	November 22, 1988	August 19, 1999, 64 FR 45170.	Submitted on March 26, 1990. See 40 CFR 52.220(c)(179)(i)(G)(*2*).
310	Miscellaneous Burning	November 22, 1988	August 19, 1999, 64 FR 45170.	Submitted on March 26, 1990. See 40 CFR 52.220(c)(179)(i)(G)(*2*).
318	Enforcement Responsibility	September 8, 1981	May 27, 1982, 47 FR 23159.	Submitted on October 23, 1981. See 40 CFR 52.220(c)(103)(xvii)(A).
319	Penalty	September 8, 1981	May 27, 1982, 47 FR 23159.	Submitted on October 23, 1981. See 40 CFR 52.220(c)(103)(xvii)(A).
Regulation IV—Permit Systems Conditions				
401	Responsibility	May 6, 1975	August 22, 1977, 42 FR 42219.	Submitted on July 22, 1975. See 40 CFR 52.220(c)(28)(v)(A).
403	Responsibility of Permittee	May 6, 1975	August 22, 1977, 42 FR 42219.	Submitted on July 22, 1975. See 40 CFR 52.220(c)(28)(v)(A).
428	Emission Statements	July 21, 2020	July 29, 2022, 87 FR 45657.	Submitted on August 3, 2020 as an attachment to a letter dated August 3, 2020. See 40 CFR 52.220(c)(574)(i)(A)(*1*).
429	Federal New Source Review	July 6, 2021	February 7, 2023, 88 FR 7877.	Submitted on August 3, 2021. See 40 CFR 52.220(c)(591)(i)(A)(*1*).
Regulation V—Permit to Operate Regulations				
501	Permit Required	September 8, 1981	May 27, 1982, 47 FR 23159.	Submitted on October 23, 1981. See 40 CFR 52.220(c)(103)(xvii)(A).
502	Exemptions to Rule 502	September 8, 1981	May 27, 1982, 47 FR 23159.	Submitted on October 23, 1981. See 40 CFR 52.220(c)(103)(xvii)(A).
505	Conditional Approval	September 8, 1981	May 27, 1982, 47 FR 23159.	Submitted on October 23, 1981. See 40 CFR 52.220(c)(103)(xvii)(A).
507	Responsibility	September 8, 1981	May 27, 1982, 47 FR 23159.	Submitted on October 23, 1981. See 40 CFR 52.220(c)(103)(xvii)(A).

TABLE 36—EPA-APPROVED TUOLUMNE COUNTY AIR POLLUTION CONTROL DISTRICT REGULATIONS—Continued

District citation	Title/subject	State effective date	EPA approval date	Additional explanation
508	Posting of Permit to Operate	September 8, 1981	May 27, 1982, 47 FR 23159.	Submitted on October 23, 1981. See 40 CFR 52.220(c)(103)(xvii)(A).
510	Separation of Emissions	September 8, 1981	May 27, 1982, 47 FR 23159.	Submitted on October 23, 1981. See 40 CFR 52.220(c)(103)(xvii)(A).
511	Combination of Emissions	September 8, 1981	May 27, 1982, 47 FR 23159.	Submitted on October 23, 1981. See 40 CFR 52.220(c)(103)(xvii)(A).
512	Circumvention	September 8, 1981	May 27, 1982, 47 FR 23159.	Submitted on October 23, 1981. See 40 CFR 52.220(c)(103)(xvii)(A).
513	Source Recordkeeping	September 8, 1981	May 27, 1982, 47 FR 23159.	Submitted on October 23, 1981. See 40 CFR 52.220(c)(103)(xvii)(A).
514	Public Records and Trade Secrets	September 8, 1981	May 27, 1982, 47 FR 23159.	Submitted on October 23, 1981. See 40 CFR 52.220(c)(103)(xvii)(A).
515	Provision of Sampling and Testing Facilities.	September 8, 1981	May 27, 1982, 47 FR 23159.	Submitted on October 23, 1981. See 40 CFR 52.220(c)(103)(xvii)(A).
516 (excluding paragraph (C)).	Upset and Breakdown Conditions	September 8, 1981	May 27, 1982, 47 FR 23159.	Paragraph (C) is titled ''Emergency Variance Procedures.'' Submitted on October 23, 1981. See 40 CFR 52.220(c)(103)(xvii)(A). Paragraph (C) was deleted at 62 FR 34641 (June 27, 1997). Also, see 85 FR 42728 (July 15, 2020).
517	Transfer	September 8, 1981	May 27, 1982, 47 FR 23159.	Submitted on October 23, 1981. See 40 CFR 52.220(c)(103)(xvii)(A).
Emergency Episode Plans				
Tuolumne County Air Pollution Control District, Resolution No. 32–20, April 7, 2020.	Ozone Emergency Episode Plan	April 7, 2020	March 30, 2021, 86 FR 16533.	Submitted on June 25, 2020 as an attachment to a letter dated June 16, 2020. See 40 CFR 52.220(c)(552)(i)(D)(*1*).

TABLE 37—EPA-APPROVED VENTURA COUNTY AIR POLLUTION CONTROL DISTRICT REGULATIONS

District citation	Title/subject	State effective date	EPA approval date	Additional explanation
[Reserved]				

TABLE 38—EPA-APPROVED YOLO-SOLANO AIR QUALITY MANAGEMENT DISTRICT REGULATIONS

District citation	Title/subject	State effective date	EPA approval date	Additional explanation
Regulation I—General Provisions				
1.1	General Provisions and Definitions	July 8, 2015	June 16, 2016, 81 FR 39211.	Submitted on November 13, 2015. See 40 CFR 52.220(c)(472)(i)(A)(*1*).
Regulation II—Prohibitions, Exceptions—Requirements				
2.1	Control of Emissions	October 1, 1971	May 31, 1972, 37 FR 10842.	Submitted on February 21, 1972. See 40 CFR 52.220(b).
2.2	Alteration of Permit	October 1, 1971	May 31, 1972, 37 FR 10842.	Submitted on February 21, 1972. See 40 CFR 52.220(b).
2.3	Ringelmann Chart	January 13, 2010	April 18, 2012, 77 FR 23133.	Submitted on July 20, 2010. See 40 CFR 52.220(c)(381)(i)(I)(*1*).
2.8 (excluding paragraphs (b)(2), (b)(4), (c)(2), (c)(4) and (c)(5)).	Open Burning	February 5, 1973	June 14, 1978, 43 FR 25675.	Submitted on July 25, 1973. See 40 CFR 52.220(c)(21)(xiv)(A). Paragraphs (c)(4) and (c)(5) were disapproved at 43 FR 25675 (June 14, 1978). Paragraph (b)(4) was rescinded, and paragraph (c)(2) was superseded at 44 FR 5662 (January 29, 1979). Paragraph (b)(2) was superseded at 47 FR 3550 (January 26, 1982).
2.8 (paragraph (b)(2))	Open Burning	September 26, 1979	January 26, 1982, 47 FR 3550.	Submitted on December 17, 1979. See 40 CFR 52.220(c)(58)(vii)(A).
2.8 (paragraph (c)(2))	Open Burning	September 28, 1977	January 29, 1979, 44 FR 5662.	Submitted on June 22, 1978. See 40 CFR 52.220(c)(44)(iv)(A).
2.9	Open Burning Certain Materials	February 5, 1973	June 14, 1978, 43 FR 25675.	Submitted on July 25, 1973. See 40 CFR 52.220(c)(21)(xiv)(A).
2.10	Incinerator Burning	October 1, 1971	May 31, 1972, 37 FR 10842.	Submitted on February 21, 1972. See 40 CFR 52.220(b).
2.11	Particulate Matter Concentration	January 13, 2010	April 18, 2012, 77 FR 23133.	Submitted on July 20, 2010. See 40 CFR 52.220(c)(381)(i)(I)(*2*).
2.12	Specific Contaminants	January 13, 2010	April 18, 2012, 77 FR 23133.	Submitted on July 20, 2010. See 40 CFR 52.220(c)(381)(i)(I)(*3*).
2.14	Architectural Coatings	October 12, 2016	July 12, 2018, 83 FR 32211.	Submitted on January 24, 2017. See 40 CFR 52.220(c)(497)(i)(D)(*2*).
2.16	Fuel Burning Equipment	October 1, 1971	May 31, 1972, 37 FR 10842.	Submitted on February 21, 1972. See 40 CFR 52.220(b).
2.17	Circumvention	September 28, 1977	January 29, 1979, 44 FR 5662.	Submitted on June 22, 1978. See 40 CFR 52.220(c)(44)(iv)(A).
2.19	Particulate Matter Process Emission Rate.	April 24, 1974	June 14, 1978, 43 FR 25675.	Submitted on July 19, 1974. See 40 CFR 52.220(c)(24)(ix)(B).

TABLE 38—EPA-APPROVED YOLO-SOLANO AIR QUALITY MANAGEMENT DISTRICT REGULATIONS—Continued

District citation	Title/subject	State effective date	EPA approval date	Additional explanation
2.20	Orchard Heaters	September 28, 1977	January 29, 1979, 44 FR 5662.	Submitted on June 22, 1978. See 40 CFR 52.220(c)(44)(iv)(A).
2.21	Organic Liquid Storage and Transfer	September 14, 2016	April 2, 2018, 83 FR 13867.	Submitted on January 24, 2017. See 40 CFR 52.220(c)(497)(i)(D)(*1*).
2.22	Gasoline Dispensing Facilities	January 14, 2015	February 9, 2016, 81 FR 6763.	Submitted on June 26, 2015. See 40 CFR 52.220(c)(463)(i)(B)(*2*).
2.23	Fugitive Hydrocarbon Emissions	March 23, 1994	November 26, 1999, 64 FR 66393.	Submitted on November 30, 1994. See 40 CFR 52.220(c)(207)(i)(C)(*8*).
2.25	Metal Parts and Products Coating Operations.	April 27, 1994	February 12, 1996, 61 FR 5288.	Submitted on November 30, 1994. See 40 CFR 52.220(c)(207)(i)(C)(*3*).
2.26	Motor Vehicle and Mobile Equipment Coating Operations.	December 10, 2008	December 8, 2015, 80 FR 76219.	Submitted on June 26, 2015. See 40 CFR 52.220(c)(463)(i)(B)(*1*).
2.27	Large Boilers	May 15, 2019	September 10, 2021, 86 FR 50645.	Submitted electronically on August 19, 2019 as an attachment to a letter dated August 16, 2021. See 40 CFR 52.220(c)(542)(i)(C)(*1*).
2.28	Cutback and Emulsified Asphalts	May 25, 1994	February 5, 1996, 61 FR 4215.	Submitted on November 30, 1994. See 40 CFR 52.220(c)(207)(i)(C)(*2*).
2.29	Graphic Arts Printing Operations	July 11, 2018	July 22, 2021, 86 FR 38562.	Submitted on August 20, 2018 as an attachment to a letter dated August 15, 2018. See 40 CFR 52.220(c)(559)(i)(A)(*1*).
2.30	Polyester Resin Operations	April 14, 1999	July 21, 1999, 64 FR 39037.	Submitted on June 3, 1999. See 40 CFR 52.220(c)(264)(i)(B)(*1*).
2.31	Solvent Cleaning and Degreasing	July 14, 2021	May 12, 2023, 88 FR 30652.	Submitted on July 18, 2022, as an attachment to a letter dated July 11, 2022. See 40 CFR 52.220(c)(596)(i)(A)(*1*).
2.32	Stationary Internal Combustion Engines.	October 10, 2001	January 28, 2002, 67 FR 3816.	Submitted on November 28, 2001. See 40 CFR 52.220(c)(289)(i)(A)(*1*).
2.33	Adhesive Operations	March 12, 2003	March 22, 2004, 69 FR 13234.	Submitted on June 5, 2003. See 40 CFR 52.220(c)(316)(i)(E)(*1*).
2.34	Stationary Gas Turbines	November 12, 2014	February 9, 2016, 81 FR 6763.	Submitted on June 26, 2015. See 40 CFR 52.220(c)(463)(i)(B)(*3*).
2.35	Pharmaceutical Manufacturing Operations.	September 14, 1994	February 24, 1997, 62 FR 8171.	Submitted on November 30, 1994. See 40 CFR 52.220(c)(207)(i)(C)(*5*).
2.37	Natural Gas-Fired Water Heaters and Small Boilers.	April 8, 2009	May 10, 2010, 75 FR 25778.	Submitted on September 15, 2009. See 40 CFR 52.220(c)(377)(i)(B)(*1*).
2.41	Expandable Polystyrene Manufacturing Operations.	September 10, 2008	September 8, 2011, 76 FR 55581.	Submitted on December 23, 2008. See 40 CFR 52.220(c)(364)(i)(C)(*1*).
2.42	Nitric Acid Production	May 13, 2009	May 10, 2010, 75 FR 25778.	Submitted on September 15, 2009. See 40 CFR 52.220(c)(377)(i)(B)(*2*).
2.43	Biomass Boilers	December 13, 2023	March 14, 2024, 89 FR 18546.	Submitted on February 14, 2024, as an attachment to a letter dated February 9, 2024. See 40 CFR 52.220(c)(612)(i)(A)(*1*).
	Regulation III—Permit Systems			
3.1 (excluding sections 403 and 406).	General Permit Requirements	February 23, 1994	July 7, 1997, 62 FR 36214.	Submitted on October 19, 1994. See 40 CFR 52.220(c)(202)(i)(F)(*1*). Sections 403 (''Denial of Applications'') and 406 (''Appeals'') were deleted without replacement at 69 FR 67062 (November 16, 2004).
3.2	Exemptions	August 25, 1993	July 7, 1997, 62 FR 36214.	Submitted on March 29, 1994. See 40 CFR 52.220(c)(196)(i)(D)(*1*).
3.4	New Source Review	December 11, 1996	July 7, 1997, 62 FR 36214.	Submitted on March 26, 1997. See 40 CFR 52.220(c)(245)(i)(A)(*1*).
3.14	Emission Reduction Credits	September 22, 1993	July 7, 1997, 62 FR 36214.	Submitted on March 29, 1994. See 40 CFR 52.220(c)(196)(i)(D)(*1*).
3.15	Priority Reserve	September 22, 1993	July 7, 1997, 62 FR 36214.	Submitted on March 29, 1994. See 40 CFR 52.220(c)(196)(i)(D)(*1*).
3.18	Emission Statements	July 28, 1993	May 26, 2004, 69 FR 29880.	Submitted on November 18, 1993. See 40 CFR 52.220(c)(194)(i)(J)(*1*).
3.21	Rice Straw Emission Reduction Credits.	December 10, 2008	June 29, 2010, 75 FR 37308.	Submitted on March 17, 2009. See 40 CFR 52.220(c)(363)(i)(C)(*1*).
3.24	Prevention of Significant Deterioration	June 13, 2012	December 10, 2012, 77 FR 73316.	Submitted on July 3, 2012. See 40 CFR 52.220(c)(420)(i)(A)(*1*). Final approval of Rule 3.24 is based, in part, on the clarifications contained in the letter dated August 7, 2012 from Mat Ehrhardt, YSAQMD, to Gerardo Rios, U.S. EPA Region 9, regarding clarifications of District Rule 210.4. The August 7, 2012 letter is listed in the tables of nonregulatory materials approved as part of the California SIP.
3.25	Federal New Source Review for New and Modified Major $PM_{2.5}$ Sources.	May 15, 2019	December 30, 2019, 84 FR 71824.	Submitted on June 4, 2019. See 40 CFR 52.220(c)(524)(i)(A)(*1*).
	Regulation IV—Fees			
4.4 (paragraph b)	Analysis Fees	September 28, 1977	January 29, 1979, 44 FR 5662.	Submitted on June 22, 1978. See 40 CFR 52.220(c)(44)(iv)(A).

TABLE 38—EPA-APPROVED YOLO-SOLANO AIR QUALITY MANAGEMENT DISTRICT REGULATIONS—Continued

District citation	Title/subject	State effective date	EPA approval date	Additional explanation
Regulation VI—Agricultural Burning				
6.1	Prohibitions	July 23, 1980	January 26, 1982, 47 FR 3549.	Submitted on November 3, 1980. See 40 CFR 52.220(c)(96)(iv)(A).
6.1 (paragraphs (f)(3) and (g)(5)).	Prohibitions	June 23, 1982	June 1, 1983, 48 FR 24362.	The amendments adopted by Yolo-Solano AQMD on June 23, 1982 added paragraphs (f)(3) and (g)(5). Submitted on November 8, 1982. See 40 CFR 52.220(c)(126)(vi)(A).
6.1 (paragraph (j))	Prohibitions	December 4, 1972	June 14, 1978, 43 FR 25675.	Submitted on July 25, 1973. See 40 CFR 52.220(c)(21)(xiv)(A).
6.2	Permits to Burn	December 4, 1972	June 14, 1978, 43 FR 25675.	Submitted on July 25, 1973. See 40 CFR 52.220(c)(21)(xiv)(A).
6.3	Special Permits	July 23, 1980	January 26, 1982, 47 FR 3549.	Submitted on November 3, 1980. See 40 CFR 52.220(c)(96)(iv)(A).
6.4	Forms	December 4, 1972	June 14, 1978, 43 FR 25675.	Submitted on July 25, 1973. See 40 CFR 52.220(c)(21)(xiv)(A).
[6.5] (codified as Rule 4.5).	Standards for Granting Applications	October 1, 1971	May 31, 1972, 37 FR 10842.	Rule 4.5 was included in Regulation IV (Agricultural Burning) in the original Rules and Regulations adopted by the Yolo-Solano AQMD. Submitted on February 21, 1972. See 40 CFR 52.220(b).
6.5 (excluding paragraph (a)).	Standards for Granting Applications	December 4, 1972	June 14, 1978, 43 FR 25675.	Submitted on July 25, 1973. See 40 CFR 52.220(c)(21)(xiv)(A). Paragraph (a) was disapproved at 43 FR 25675 (June 14, 1978).
6.6	Restricted Burning Days	September 26, 1979	January 26, 1982, 47 FR 3550.	Submitted on December 17, 1979. See 40 CFR 52.220(c)(58)(vii)(A).
6.7 (excluding paragraph (f)).	Permit Form	December 4, 1972	June 14, 1978, 43 FR 25675.	Submitted on July 25, 1973. See 40 CFR 52.220(c)(21)(xiv)(A). Paragraph (f) was superseded by approval of Rule 6.7 (paragraph (f)) at 44 FR 5662 (January 29, 1979).
6.7 (paragraph (f))	Permit Form	September 28, 1977	January 29, 1979, 44 FR 5662.	Submitted on June 22, 1978. See 40 CFR 52.220(c)(44)(iv)(A).
6.8	Fire Prevention	December 4, 1972	June 14, 1978, 43 FR 25675.	Submitted on July 25, 1973. See 40 CFR 52.220(c)(21)(xiv)(A).
Regulation X—Mobile and Indirect Sources				
10.3	General Conformity	February 8, 1995	April 23, 1999, 64 FR 19916.	Submitted on December 3, 1998. See 40 CFR 52.220(c)(259)(i)(A)(*1*).
Regulation XI—Agricultural Sources				
11.2	Confined Animal Facilities Permit Program.	June 14, 2006	March 13, 2017, 82 FR 13398.	Submitted on October 5, 2006. See 40 CFR 52.220(c)(347)(i)(E)(*1*).

(d) *EPA-approved source-specific requirements.*

Name of source	Order/permit No.	Effective date	EPA approval date	Explanation
(1) Sacramento Metropolitan Air Quality Management District				
(i) Kiefer Landfill	Permit to Operate for the Kiefer Landfill (''Permit to Operate No. 17359 (Rev01)'').	November 13, 2006.	April 12, 2011, 76 FR 20242.	Submitted on July 11, 2007. See 40 CFR 52.220(c)(382)(i)(A)(*1*).
(ii) Kiefer Landfill	Permit to Operate No. 24360—Air Pollution Control Landfill Gas Flare No. 1, Enclosed Type, with Attachment A.	April 14, 2016	December 4, 2017, 82 FR 57130.	Submitted on January 24, 2017. See 40 CFR 52.220(c)(497)(i)(A)(*1*).
(iii) Kiefer Landfill	Permit to Operate No. 24361—Air Pollution Control Landfill Gas Flare No. 2, Enclosed Type, with Attachment A.	April 14, 2016	December 4, 2017, 82 FR 57130.	Submitted on January 24, 2017. See 40 CFR 52.220(c)(497)(i)(A)(*2*).
(iv) Mitsubishi Chemical Carbon Fiber & Composites, Inc.	Permit to Operate No. 24611—Eisenmann Oxidation Oven 1, issued to Mitsubishi Chemical Carbon Fiber & Composites, Inc.	February 23, 2024.	September 25, 2024, 89 FR 78255.	Submitted electronically on April 11, 2024, as an attachment to a letter dated April 10, 2024. See 40 CFR 52.220(c)(617)(i)(A)(*1*).
(v) Mitsubishi Chemical Carbon Fiber & Composites, Inc.	Permit to Operate No. 25925—Maxon Oxidation Oven 2, issued to Mitsubishi Chemical Carbon Fiber & Composites, Inc.	February 23, 2024.	September 25, 2024, 89 FR 78255.	Submitted electronically on April 11, 2024, as an attachment to a letter dated April 10, 2024. See 40 CFR 52.220(c)(617)(i)(A)(*2*).
(vi) Mitsubishi Chemical Carbon Fiber & Composites, Inc.	Permit to Operate No. 24613—Eisenmann Oxidation Oven 3, issued to Mitsubishi Chemical Carbon Fiber & Composites, Inc.	February 23, 2024.	September 25, 2024, 89 FR 78255.	Submitted electronically on April 11, 2024, as an attachment to a letter dated April 10, 2024. See 40 CFR 52.220(c)(617)(i)(A)(*3*).
(vii) Mitsubishi Chemical Carbon Fiber & Composites, Inc.	Permit to Operate No. 24614—Eisenmann Oxidation Oven 4, issued to Mitsubishi Chemical Carbon Fiber & Composites, Inc.	February 23, 2024.	September 25, 2024, 89 FR 78255.	Submitted electronically on April 11, 2024, as an attachment to a letter dated April 10, 2024. See 40 CFR 52.220(c)(617)(i)(A)(*4*).

Name of source	Order/permit No.	Effective date	EPA approval date	Explanation
(viii) Mitsubishi Chemical Carbon Fiber & Composites, Inc.	Permit to Operate No. 27336—Despatch Oxidation Oven Line 31, issued to Mitsubishi Chemical Carbon Fiber and Composites Inc.	February 23, 2024.	September 25, 2024, 89 FR 78255.	Submitted electronically on April 11, 2024, as an attachment to a letter dated April 10, 2024. See 40 CFR 52.220(c)(617)(i)(A)(*5*).
(ix) Mitsubishi Chemical Carbon Fiber & Composites, Inc.	Permit to Operate No. 27337—Despatch Oxidation Oven Line 31, issued to Mitsubishi Chemical Carbon Fiber and Composites Inc.	February 23, 2024.	September 25, 2024, 89 FR 78255.	Submitted electronically on April 11, 2024, as an attachment to a letter dated April 10, 2024. See 40 CFR 52.220(c)(617)(i)(A)(*6*).
(x) Mitsubishi Chemical Carbon Fiber & Composites, Inc.	Permit to Operate No. 27338—Cleaver Brooks Boiler, issued to Mitsubishi Chemical Carbon Fiber and Composites Inc.	February 23, 2024.	September 25, 2024, 89 FR 78255.	Submitted electronically on April 11, 2024, as an attachment to a letter dated April 10, 2024. See 40 CFR 52.220(c)(617)(i)(A)(*7*).
(xi) UCD Medical Center	Permit to Operate No. 17549—General Electric Gas Turbine, issued to UCD Medical Center.	February 23, 2024.	September 25, 2024, 89 FR 78255.	Submitted electronically on April 11, 2024, as an attachment to a letter dated April 10, 2024. See 40 CFR 52.220(c)(617)(i)(A)(*8*).
(xii) UCD Medical Center	Permit to Operate No. 20216—Johnston Boiler Company Boiler 1, No. 20217—Johnston Boiler company Boiler 2, No. 20218—Johnston Boiler Company Boiler 3, No. 20219—Johnston Boiler Company Boiler 4, issued to UCD Medical Center.	February 23, 2024.	September 25, 2024, 89 FR 78255.	Submitted electronically on April 11, 2024, as an attachment to a letter dated April 10, 2024. See 40 CFR 52.220(c)(617)(i)(A)(*9*).
(xiii) Sacramento Municipal Utility District Financing Authority DBA Procter and Gamble Power Plant.	Permit to Operate No. 27140—Babcock & Wilcox Boiler, issued to Sacramento Municipal Utility District Financing Authority DBA Procter and Gamble Power Plant.	February 23, 2024.	September 25, 2024, 89 FR 78255.	Submitted electronically on April 11, 2024, as an attachment to a letter dated April 10, 2024. See 40 CFR 52.220(c)(617)(i)(A)(*10*).
(xiv) Sacramento Municipal Utility District Financing Authority DBA Procter and Gamble Power Plant.	Permit to Operate No. 27141—General Electric Gas Turbine 1A and No. 27132—Duct Burner 1A, issued to Sacramento Municipal Utility District Financing Authority DBA Procter and Gamble Power Plant.	February 23, 2024.	September 25, 2024, 89 FR 78255.	Submitted electronically on April 11, 2024, as an attachment to a letter dated April 10, 2024. See 40 CFR 52.220(c)(617)(i)(A)(*11*).
(xv) Sacramento Municipal Utility District Financing Authority DBA Procter and Gamble Power Plant.	Permit to Operate No. 27142—General Electric Gas Turbine 1B and No. 27133—Duct Burner 1B, issued to Sacramento Municipal Utility District Financing Authority DBA Procter and Gamble Power Plant.	February 23, 2024.	September 25, 2024, 89 FR 78255.	Submitted electronically on April 11, 2024, as an attachment to a letter dated April 10, 2024. See 40 CFR 52.220(c)(617)(i)(A)(*12*).
(xvi) Sacramento Municipal Utility District Financing Authority DBA Procter and Gamble Power Plant.	Permit to Operate No. 27143—General Electric Gas Turbine 1C, issued to Sacramento Municipal Utility District Financing Authority DBA Procter and Gamble Power Plant.	February 23, 2024.	September 25, 2024, 89 FR 78255.	Submitted electronically on April 11, 2024, as an attachment to a letter dated April 10, 2024. See 40 CFR 52.220(c)(617)(i)(A)(*13*).
(xvii) Sacramento Municipal Utility District Financing Authority DBA Procter and Gamble Power Plant.	Permit to Operate No. 27144—Cleaver Brooks Boiler 1B, issued to Sacramento Municipal Utility District Financing Authority DBA Procter and Gamble Power Plant.	February 23, 2024.	September 25, 2024, 89 FR 78255.	Submitted electronically on April 11, 2024, as an attachment to a letter dated April 10, 2024. See 40 CFR 52.220(c)(617)(i)(A)(*14*).
(xviii) Sacramento Municipal Utility District Financing Authority (SFA)—Cosumnes Power Plant.	Permit to Operate No. 25801—General Electric Gas Turbine 2, issued to Sacramento Municipal Utility District Financing Authority (SFA)—Cosumnes Power Plant.	February 23, 2024.	September 25, 2024, 89 FR 78255.	Submitted electronically on April 11, 2024, as an attachment to a letter dated April 10, 2024. See 40 CFR 52.220(c)(617)(i)(A)(*15*).
(xix) Sacramento Municipal Utility District Financing Authority (SFA)—Cosumnes Power Plant.	Permit to Operate No. 25800—General Electric Gas Turbine 3, issued to Sacramento Municipal Utility District Financing Authority (SFA)—Cosumnes Power Plant.	February 23, 2024.	September 25, 2024, 89 FR 78255.	Submitted electronically on April 11, 2024, as an attachment to a letter dated April 10, 2024. See 40 CFR 52.220(c)(617)(i)(A)(*16*).
(xx) Sacramento Municipal Utility District Financing Authority DBA Campbell Power Plant.	Permit to Operate No. 27118—Siemens Gas Turbine and No. 27116—Duct Burner, issued to Sacramento Municipal Utility District Financing Authority DBA Campbell Power Plant.	February 23, 2024.	September 25, 2024, 89 FR 78255.	Submitted electronically on April 11, 2024, as an attachment to a letter dated April 10, 2024. See 40 CFR 52.220(c)(617)(i)(A)(*17*).
(xxi) Sacramento Municipal Utility District Financing Authority DBA Carson Power Plant.	Permit to Operate No. 27151—General Electric Gas Turbine and No. 27153—Duct Burner, issued to Sacramento Municipal Utility District Financing Authority DBA Carson Power Plant.	February 23, 2024.	September 25, 2024, 89 FR 78255.	Submitted electronically on April 11, 2024, as an attachment to a letter dated April 10, 2024. See 40 CFR 52.220(c)(617)(i)(A)(*18*).
(xxii) Sacramento Municipal Utility District Financing Authority DBA Carson Power Plant.	Permit to Operate No. 27154—Cleaver Brooks Boiler, issued to Sacramento Municipal Utility District Financing Authority DBA Carson Power Plant.	February 23, 2024.	September 25, 2024, 89 FR 78255.	Submitted electronically on April 11, 2024, as an attachment to a letter dated April 10, 2024. See 40 CFR 52.220(c)(617)(i)(A)(*19*).
(xxiii) Sacramento Municipal Utility District Financing Authority DBA Carson Power Plant.	Permit to Operate No. 27156—General Electric Gas Turbine, issued to Sacramento Municipal Utility District Financing Authority DBA Carson Power Plant.	February 23, 2024.	September 25, 2024, 89 FR 78255.	Submitted electronically on April 11, 2024, as an attachment to a letter dated April 10, 2024. See 40 CFR 52.220(c)(617)(i)(A)(*20*).
(2) San Joaquin Valley Unified Air Pollution Control District				
(i) J.R. Simplot Company, Nitric Acid Plant, Helm, CA.	Permit #C–705–3–19	June 21, 2018	August 17, 2018, 83 41006.	Adopted by the SJVUAPCD, Resolution No. 18–06–14, June 21, 2018. Submitted on June 29, 2018. See 40 CFR 52.220(c)(507)(i)(A)(*1*).
(ii) Reserved..				

Name of source	Order/permit No.	Effective date	EPA approval date	Explanation
(3) South Coast Air Quality Management District				
(i) 63500 19th Ave., North Palm Springs, CA 92258.	Facility Permit to Operate (includes only the title page, table of contents, section A (page 1), and section D (pages 1–21)).	July 7, 2017	September 20, 2017, 82 FR 43850.	Submitted on July 27, 2017 as appendix A to the Supplemental RACM/RACT Analysis for the NO_X RECLAIM Program. See 40 CFR 52.220(c)(492)(i)(A)(*1*).
(ii) 15775 Melissa Lane Rd, North Palm Springs, CA 92258.	Facility Permit to Operate (includes only the title page, table of contents, section A (page 1), and section D (pages 1–49)).	July 7, 2017	September 20, 2017, 82 FR 43850.	Submitted on July 27, 2017 as appendix B to the Supplemental RACM/RACT Analysis for the NO_X RECLAIM Program. See 40 CFR 52.220(c)(492)(i)(A)(*2*).
(iii) 62575 Power Line Road, Desert Hot Springs, CA 92440.	Resolution No. 10–20	July 9, 2010	April 20, 2011, 76 FR 22038.	Submitted on September 10, 2010. See 40 CFR 52.220(c)(384)(i)(A)(*1*), (*2*) and (*3*). Includes two documents incorporated by reference in Resolution 10–20: ''Revision to the State Implementation Plan for the South Coast Air Quality Management District, State of California: Sulfur Oxides and Particulate Matter Offset Requirements for the Proposed CPV Sentinel Power Plant to be Located in Desert Hot Springs, California, Including AB 1318 Offset Tracking System'' and ''CPV Sentinel Energy Project AB 1318 Tracking System.'' See also 77 FR 67767 (November 14, 2012).

* * * * *

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