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DEPARTMENT OF ENERGY

10 CFR Part 205

[DOE–HQ–2025–0011]

RIN 1901–AB68

Application for Presidential Permit Authorizing the Construction, Connection, Operation, and Maintenance of Facilities for Transmission of Electric Energy at International Boundaries

AGENCY: Grid Deployment Office, Department of Energy.

ACTION: Final rule; confirmation of effective date.

SUMMARY: The Department of Energy (DOE or the Department) is publishing this document to respond to comments received on the DFR titled, ''Application for Presidential Permit Authorizing the Construction, Connection, Operation and Maintenance of Facilities for Transmission of Electric Energy at International Boundaries,'' published on May 16, 2025, and effective September 12, 2025.

DATES: As of September 11, 2025, the effective date of September 12, 2025 (90 FR 31131), for the direct final rule published May 16, 2025 (90 FR 20753), is confirmed.

ADDRESSES: The docket for this rule, which includes the **Federal Register** notices, comments, and other supporting documents and materials, is available for review at *www.regulations.gov.* All documents in the docket are listed in the *www.regulations.gov* index. However, not all documents listed in the index may be publicly available, such as information that is exempt from public disclosure. The docket web page can be found at *www.regulations.gov/docket/DOE-HQ-2025-0011.* The docket web page contains instructions on how to access all documents, including public comments, in the docket, as well as a summary.

FOR FURTHER INFORMATION CONTACT: Mr. Jeffrey Novak, U.S. Department of Energy, Office of the General Counsel, GC–1, 1000 Independence Avenue SW, Washington, DC 20585; (202) 586–5281 or *DOEGeneralCounsel@hq.doe.gov.*

SUPPLEMENTARY INFORMATION:

I. General Discussion

On May 16, 2025, DOE published a DFR (90 FR 20753) (May 2025 DFR) to rescind the application process codified at 10 CFR 205.320 through 10 CFR 205.329 concerning Presidential permits authorizing the construction, connection, operation, and maintenance of facilities for transmission of electric energy at international boundaries under Executive Order (E.O.) 10485, as amended. DOE stated in that DFR that if significant adverse comments were received by June 16, 2025, DOE would withdraw the DFR or issue a new final rule which responds to those significant adverse comments.

Because DOE received significant adverse comments on the DFR, DOE extended the effective date of the direct final rule to September 12, 2025 (90 FR 31131) to allow enough time to consider and respond to the comments submitted. DOE has reviewed the comments received and is responding to them in this confirmation of effective date.

II. Responses to Comments

DOE received five comments in response to the May 2025 DFR; one in support, one with no objection but with a recommendation to keep certain permit application processes and keep a 30-day public comment period, and three opposing the DFR. Listed is a summary of the comments received and DOE's responses.

TABLE II.1—LIST OF COMMENTERS FROM THE MAY 2025 DFR

Commenter	Reference in this DFR	Comment No. in the docket	Commenter type
National Federation of Independent Business	NFIB	DOE–HQ–2025–0011–0002	Non-Profit Industry Association.
T P	T P	DOE–HQ–2025–0011–0003	Individual.
Center for Biological Diversity	CBD	DOE–HQ–2025–0011–0004	Non-Profit Conservation Organization.
The Electric Reliability Council of Texas, Inc	ERCOT	DOE–HQ–2025–0011–0005	Independent System Operator.
Bridget C.E. Dooling	Dooling	DOE–HQ–2025–0011–0006	Individual.

NFIB commented in support of the DFR, stating that revoking 10 CFR 205.309 through 10 CFR 205.329 will help increase efficiency by removing provisions that burden applicants and allowing applications to be submitted in a simpler fashion ''without all the necessary document production and excessive expenses that the revoked regulations previously required.'' (DOE HQ–2025–0011–0002 at p. 2–3). DOE acknowledges NFIB's comments and support for this DFR. The agency's intent of removing regulatory provisions is to increase efficiency of the Federal permitting process and to enhance consistency with this Administration's policy priorities focused on alleviating unnecessary regulatory burdens.

ERCOT submitted a comment with no objection to the DFR but encouraged DOE to continue publishing notices of applications for Presidential Permits in the **Federal Register** and holding 30-day public comment periods. ERCOT noted that projects requiring Presidential Permits can impact a variety of entities, including grid operators like ERCOT, and a notice-and-comment period is a valuable opportunity for interested entities to evaluate potential projects and provide DOE important feedback to inform DOE's review. (DOE–HQ–2025–0011–0005 at p. 1.)

DOE recognizes the value of the public comment period to inform DOE's decision to issue a Presidential Permit. However, formal notice and comment procedures result in a longer

adjudication period for potential Presidential permit applications and are not required under E.O. 10485, as amended. The publication of a notice in the **Federal Register** and the opening of a 30-day public comment period significantly extends the agency's review and approval process, which ultimately puts an additional burden on applicants. Historically, DOE has received minimal public feedback during the 30-day public comment period. Therefore, DOE declines to adopt the suggestion by ERCOT to continue formally publishing notices in the **Federal Register** for applications for Presidential Permits. DOE may consider engaging with interested stakeholders through other means during the application process as the public interest may in its judgment require.

Additionally, three comments opposed and asserted that the DFR violates the Administrative Procedure Act (APA) and National Environmental Policy Act (NEPA). For example, commenter T P argued that DOE did not follow proper notice and comment rulemaking procedures and that a Categorical Exclusion (CX) was not appropriate for the DFR because the rulemaking action has the potential for uncertain environmental risks, potential impacts on sensitive resources, and potential for cumulative impacts, which require DOE to perform either an environmental assessment or environment impact statement. (DOE HQ–2025–0011–0003 at p. 1). Additionally, CBD argued that the rule is arbitrary and capricious, did not provide a rational basis for the change, did not provide adequate notice and comment, and that applying a CX was not appropriate for the DFR. (DOE–HQ–2025–0011–0004 at p. 2–4). Further, Dooling stated that the May 2025 DFR did not satisfy the good cause exemption from notice and comment rulemaking under the APA. (DOE–HQ–2025–0011–0006 at p. 4).

As for the basis of DOE's rulemaking, in issuing a Presidential Permit, DOE does not act pursuant to its congressionally established authority as a Federal agency, but on behalf of the President pursuant to a delegation of the President's authority under the United States Constitution.[1] It is settled and established law that the President is not an ''agency'' within the meaning of the Administrative Procedure Act (APA) and that Presidential actions are not subject to NEPA review.[2] DOE notes that its Presidential permit decisions are subject to review and may be modified or revoked by the President.[3] Accordingly, DOE stated that the May 2025 DFR was issued pursuant to the President's directive in E.O. 14192, which instructs the executive branch to reduce regulatory burden wherever possible. Further, E.O. 10485, as amended, allows DOE broad discretion to ''issue such rules and regulations, and to prescribe such procedures, as it may from time to time deem necessary or desirable for the exercise of authority delegated to it by [E.O. 10485]'' and does not require those procedures to be published in the Code of Federal Regulations.

Although decisions to issue Presidential permits under E.O. 10485 are not subject to the APA, DOE acknowledges that the APA requires that agencies provide all interested persons with fair notice and an opportunity to comment on a rulemaking. *See* 5 U.S.C. 553(b) & (c). The May 2025 DFR provided the public with fair notice of DOE's changes to its own administrative procedures regarding filing requirements for the 90 FR 20753. *See* 90 FR 20753 (discussing specific administrative changes to the filing requirements). DOE also requested comments on the May 2025 DFR, and stated, if the Department received significant adverse comments, the Department would withdraw the rule or issue a new final rule that responds to such comments. Thus, DOE has provided interested persons with fair notice and an opportunity to comment as required by the APA. So, the lack of discussion of a good cause exemption under 5 U.S.C. 553(b)(B) in the DFR is irrelevant as the notice and comment procedures under 5 U.S.C. 553(b) and (c) have been observed before this rule takes effect. Commenters cannot argue they were denied fair notice and an opportunity to comment solely based on how the notice was labeled. *See Little Sisters of the Poor Saints Peter & Paul Home* v. *Pennsylvania,* 140 S. Ct. 2367, 2384 (2020) (holding that ''[f]ormal labels aside, the [interim final rules] contained all of the elements of a notice of proposed rulemaking as required by the APA'').

Lastly, as outlined in Part II of the May 2025 DFR, DOE completed a regulatory review and analyzed this action in accordance with the NEPA and DOE's Implementing Regulations at 10 CFR 1021 (part 1021), as in effect at the time of the DFR's publication. In May 2025, DOE had determined that the DFR qualified for a CX under appendix A6 to subpart D of part 1021, Procedural rulemakings. 90 FR 20753, 20754. In July 2025, DOE revised part 1021 to remove appendix A and, concurrently, DOE issued Implementing Procedures.[4] The actions which were formally identified in appendix A of subpart D to part 1021 now represent actions that are excepted from NEPA based on the definition of ''major Federal action'' in section 111(10) of NEPA. Therefore, DOE has no obligation to review the DFR pursuant to NEPA.

III. Conclusion

For the reasons discussed in the preceding sections of this document, DOE is not withdrawing the May 2025 DFR, which finalizes amendments to its administrative procedures to update and streamline the general requirements for submitting applications for Presidential Permits. DOE also notes, to the extent that 5 U.S.C. 553 applies to the delay of effective date, it is exempt from notice and comment because it constitutes a rule of procedure under 5 U.S.C. 553(b)(A) and for which no notice or hearing is required by statute. Additionally, this action is not a ''substantive rule'' for which a 30-day delay in effective date is required under 5 U.S.C. 553(d).

Signing Authority

This document of the Department of Energy was signed on September 8, 2025, by Chris Wright, Secretary of Energy. That document with the original signature and date is maintained by DOE. For administrative purposes only, and in compliance with requirements of the Office of the Federal Register, the undersigned DOE Federal Register Liaison Officer has been authorized to sign and submit the document in electronic format for publication, as an official document of the Department of Energy. This administrative process in no way alters the legal effect of this document upon publication in the **Federal Register**.

[1] 18 FR 5397 (09/09/1953) (preamble).

[2] *Franklin* v. *Massachusetts,* 505 U.S. 788, 800 (1992) (holding the President is not subject to judicial review under the APA, given ''the separation of powers and the unique constitutional position of the President); *see also Dalton* v. *Specter,* 511 U.S. 462, 469–471 (1994); *Portland Audubon Soc'y* v. *Endangered Species Committee,* 984 F.2d 1534, 1547 (9th Cir. 1993); and, *Greene County. Planning Bd.* v. *Fed. Power Comm'n,* 528 F.2d 38 (2d Cir. 1975) (holding that issuance of a Presidential permit by DOE's predecessor agency was not subject to judicial review under the Federal Power Act because the issuance of such a permit is ''a function rooted in the President's power with respect to foreign relations if not as Commander in Chief of the Armed Forces'').

[3] 18 FR 5397 (Sec. 4) (''All Presidential Permits . . . issued hereunder, shall remain in full force and effect until modified or revoked by the President or Secretary of Energy.'')

[4] DOE NEPA Implementing Procedures June 30 2025, *https://www.energy.gov/sites/default/files/2025-06/2025-06-30-DOE-NEPA-Procedures.pdf.*

Signed in Washington, DC, on September 9, 2025.

Treena V. Garrett,

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

[FR Doc. 2025–17513 Filed 9–10–25; 8:45 am]

BILLING CODE 6450–01–P

DEPARTMENT OF ENERGY

10 CFR Part 1040

[DOE–HQ–2025–0015]

RIN 1903–AA24

Rescinding New Construction Requirements Related to Nondiscrimination in Federally Assisted Programs or Activities

AGENCY: Office of Civil Rights and EEO, Department of Energy.

ACTION: Direct final rule; further delay of effective date.

SUMMARY: The U.S. Department of Energy (DOE) is extending the effective date of the direct final rule ''Rescinding Construction Requirements Related to Nondiscrimination in Federally Assisted Programs or Activities,'' published on May 16, 2025.

DATES: As of September 11, 2025, the effective date of the direct final rule published May 16, 2025, at 90 FR 20783, delayed until September 12, 2025 (90 FR 31140) is further delayed until December 10, 2025.

FOR FURTHER INFORMATION CONTACT: Mr. Jeffrey Novak, U.S. Department of Energy, Office of the General Counsel, GC–1, 1000 Independence Avenue SW, Washington, DC 20585; (202) 586–5281 or *DOEGeneralCounsel@hq.doe.gov*.

SUPPLEMENTARY INFORMATION: On May 16, 2025, DOE published a direct final rule. 90 FR 20783. DOE stated in that direct final rule that if significant adverse comments were received by June 16, 2025, DOE would withdraw the direct final rule. *Id.* On July 14, 2025, DOE published a document delaying the effective date to consider comments submitted in response to the direct final rule. 90 FR 31140.

In this document, DOE is further extending the effective date in order to continue to consider comments submitted in response to the direct final rule.

To the extent that 5 U.S.C. 553 applies to this action, it is exempt from notice and comment because it constitutes a rule of procedure under 5 U.S.C. 553(b)(A) and for which no notice or hearing is required by statute. Additionally, this action is not a ''substantive rule'' for which a 30-day delay in effective date is required under 5 U.S.C. 553(d).

Signing Authority

This document of the Department of Energy was signed on September 8, 2025, by Chris Wright, Secretary of Energy. That document with the original signature and date is maintained by DOE. For administrative purposes only, and in compliance with requirements of the Office of the Federal Register, the undersigned DOE Federal Register Liaison Officer has been authorized to sign and submit the document in electronic format for publication, as an official document of the Department of Energy. This administrative process in no way alters the legal effect of this document upon publication in the **Federal Register**.

Signed in Washington, DC, on September 9, 2025.

Treena V. Garrett,

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

[FR Doc. 2025–17517 Filed 9–10–25; 8:45 am]

BILLING CODE 6450–01–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2025–2266; Project Identifier MCAI–2024–00406–A; Amendment 39–23123; AD 2025–17–13]

RIN 2120–AA64

Airworthiness Directives; Costruzioni Aeronautiche Tecnam S.p.A. Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule; request for comments.

SUMMARY: The FAA is adopting a new airworthiness directive (AD) for certain Costruzioni Aeronautiche Tecnam S.p.A. (Tecnam) Model P-Mentor airplanes. This AD was prompted by the failure of the pilot seat locking mechanism. This AD requires an initial and repetitive inspections of the seat rails of pilot and co-pilot seats and completing corrective action as needed. This AD includes an optional terminating action for the inspection requirement. The FAA is issuing this AD to address the unsafe condition on these products.

DATES: This AD is effective September 26, 2025.

The Director of the Federal Register approved the incorporation by reference of certain publications listed in this AD as of September 26, 2025.

The FAA must receive comments on this AD by October 27, 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–2025–2266; or in person at Docket Operations between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this final rule, the mandatory continuing airworthiness information (MCAI), any comments received, and other information. The street address for Docket Operations is listed above.

Material Incorporated by Reference:

- For Tecnam material identified in this AD, contact Tecnam, Via Maiorise, 81043 Capua CE, Italy; phone: +39 0823 622297; email: *technical.support@tecnam.com*; website: *tecnam.com*.
- You may view this material at the FAA, Airworthiness Products Section, Operational Safety Branch, 901 Locust, Kansas City, MO 64106. 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–2025–2266.

FOR FURTHER INFORMATION CONTACT: Ramon Walker Perez, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; phone: (847) 294–7337; email: *ramon.a.walker.perez@faa.gov*.

SUPPLEMENTARY INFORMATION:

Comments Invited

The FAA invites you to send any written data, views, or arguments about this final rule. Send your comments using a method listed under the **ADDRESSES** section. Include ''Docket No. FAA–2025–2266; Project Identifier MCAI–2024–00406–A'' at the beginning of your comments. The most helpful comments reference a specific portion of the final rule, explain the reason for any recommended change, and include supporting data. The FAA will consider all comments received by the closing

date and may amend this final rule because of those comments.

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

Confidential Business Information

CBI is commercial or financial information that is both customarily and actually treated as private by its owner. Under the Freedom of Information Act (FOIA) (5 U.S.C. 552), CBI is exempt from public disclosure. If your comments responsive to this AD contain commercial or financial information that is customarily treated as private, that you actually treat as private, and that is relevant or responsive to this AD, it is important that you clearly designate the submitted comments as CBI. Please mark each page of your submission containing CBI as ''PROPIN.'' The FAA will treat such marked submissions as confidential under the FOIA, and they will not be placed in the public docket of this AD. Submissions containing CBI should be sent to Ramon Walker Perez, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590. Any commentary that the FAA receives which is not specifically designated as CBI will be placed in the public docket for this rulemaking.

Background

The European Union Aviation Safety Agency (EASA), which is the Technical Agent for the Member States of the European Union, has issued EASA AD 2024–0138, dated July 11, 2024 (also referred to as the MCAI), to correct an unsafe condition on certain Tecnam Model P-Mentor airplanes. The MCAI states there was a report of failure of the pilot seat locking mechanism that could lead to the pilot seat unlocking during flight, possibly resulting in loss of control of the airplane. A subsequent inspection revealed interference between the leather covering of the pilot seat and the seat locking lever. The MCAI requires initial and repetitive inspections of the affected parts and if any discrepancy as defined in the service material is detected contacting Tecnam for repair instructions and accomplishing those instructions accordingly. The MCAI also provides an optional terminating action for the repetitive inspections.

You may examine the MCAI in the AD docket at *regulations.gov* under Docket No. FAA–2025–2266.

Material Incorporated by Reference Under 1 CFR Part 51

The FAA reviewed TECNAM Service Bulletin SB 738–CS–Ed. 1, Rev. 2, dated July 5, 2024 (TECNAM SB 738–CS–Ed. 1, Rev. 2). This material specifies procedures for inspecting the P-Mentor seat rails.

The FAA also reviewed TECNAM Service Bulletin SB 748–CS–Ed 1, Rev. 0, dated April 22, 2024 (TECNAM SB 748–CS–Ed. 1, Rev. 0). This material specifies the P-Mentor new seat design.

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

AD Requirements

This AD requires accomplishing the actions specified in the material already described, except as discussed under ''Differences Between this AD and the Referenced Material.''

Differences Between This AD and the MCAI or Referenced Material

The MCAI specifies to contact the manufacturer for approved repair instructions if it is determined during an inspection that there is any discrepancy detected as described in the referenced service material. This AD requires doing repairs in accordance with a method approved by the FAA; EASA; or Tecnam's EASA Design Organization Approval (DOA). If approved by the DOA, the approval must include the DOA-authorized signature.

The MCAI also specifies that the repetitive inspections of the affected parts (pilot and co-pilot seats) may be accomplished by the pilot-owner, but this AD does not allow the pilot-owner to do those actions.

TECNAM SB 738–CS–Ed. 1, Rev. 2, specifies to report certain information to the manufacturer. This AD does not require this reporting.

Justification for Immediate Adoption and Determination of the Effective Date

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

The FAA justifies waiving notice and comment prior to adoption of this rule because there are currently no domestic operators of this product. It is unlikely that the FAA will receive any adverse comments or useful information about this AD from any U.S. operator. Accordingly, notice and opportunity for prior public comment are unnecessary, pursuant to 5 U.S.C. 553(b). In addition, for the foregoing reason(s), the FAA finds that good cause exists pursuant to 5 U.S.C. 553(d) for making this amendment effective in less than 30 days.

Regulatory Flexibility Act

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

Costs of Compliance

There are no costs of compliance with this AD because there are no airplanes with this type certificate on the U.S. Registry.

Authority for This Rulemaking

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

The FAA is issuing this rulemaking under the authority described in Subtitle VII, Part A, Subpart III, Section 44701: General requirements. Under that section, Congress charges the FAA with promoting safe flight of civil aircraft in air commerce by prescribing

regulations for practices, methods, and procedures the Administrator finds necessary for safety in air commerce. This regulation is within the scope of that authority because it addresses an unsafe condition that is likely to exist or develop on products identified in this rulemaking action.

Regulatory Findings

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

For the reasons discussed above, I certify that this AD:

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

(2) Will not affect intrastate aviation in Alaska.

List of Subjects in 14 CFR Part 39

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

The Amendment

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

PART 39—AIRWORTHINESS DIRECTIVES

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

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

§ 39.13 [Amended]

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

2025–17–13 Costruzioni Aeronautiche Tecnam S.p.A: Amendment 39–23123; Docket No. FAA–2025–2266; Project Identifier MCAI–2024–00406–A.

(a) Effective Date

This airworthiness directive (AD) is effective September 26, 2025.

(b) Affected ADs

None.

(c) Applicability

This AD applies to Costruzioni Aeronautiche Tecnam S.p.A. (Tecnam) Model P-Mentor airplanes, serial numbers 1003 through 1056 inclusive, 1064 through 1075 inclusive, 1078 through 1082 inclusive, 1089, 1090, 1118, 1119, 1124, 1125, and 1126, except those having Tecnam modification MOD2010/359 installed or TECNAM Service Bulletin SB 748–CS–Ed. 1, Rev. 0, dated April 22, 2024 (TECNAM SB 748–CS–Ed. 1, Rev. 0), embodied.

(d) Subject

Joint Aircraft System Component (JASC) Code 2500, Cabin Equipment/Furnishings.

(e) Unsafe Condition

This AD was prompted by the failure of the pilot seat locking mechanism. The FAA is issuing this AD to address this unsafe condition. The unsafe condition, if not addressed, could lead to the pilot or co-pilot seat unlocking during flight, possibly resulting in loss of control of the airplane.

(f) Compliance

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

(g) Definitions

For the purpose of this AD, the definitions in paragraphs (g)(1) and (2) of this AD apply.

(1) Affected parts: The seat rails of the pilot and co-pilot seats.

(2) Reference material: TECNAM Service Bulletin SB 738–CS–Ed. 1, Rev. 2, dated July 5, 2024 (TECNAM SB 738–CS–Ed. 1, Rev. 2).

(h) Required Actions

(1) Within 5 hours time-in-service (TIS) or 7 days, whichever occurs first after the effective date of this AD, and thereafter at intervals not to exceed 110 hours TIS, inspect each affected part in accordance with Appendix A of the Accomplishment Instructions in TECNAM SB 738–CS–Ed. 1, Rev. 2.

(2) If, during any inspection required by paragraph (h)(1) of this AD, any discrepancy is detected as defined in Appendix A of the Accomplishment Instructions in TECNAM SB 738–CS–Ed. 1, Rev. 2, before further flight, repair the part in accordance with a method approved by the Manager, International Validation Branch, FAA; EASA; or Tecnam's EASA Design Organization Approval (DOA). If approved by the DOA, the approval must include the DOA-authorized signature.

(i) Optional Terminating Action

Modification of an airplane in accordance with the instructions of TECNAM SB 748–CS–Ed. 1, Rev. 0, constitutes terminating action for the repetitive inspections required by paragraph (h)(1) of this AD for that airplane.

(j) No Reporting Requirement

Although TECNAM SB 738–CS–Ed. 1, Rev. 2, specifies to submit information to the manufacturer, this AD does not require that action.

(k) Credit for Previous Actions

You may take credit for the actions required by paragraph (h)(1) of this AD if you performed those actions before the effective date of this AD using TECNAM SB–738–CS–Ed. 1, Rev. 0, or TECNAM SB–738–CS–Ed. 1, Rev. 01.

(l) Special Flight Permits

Special flight permits are prohibited.

(m) Alternative Methods of Compliance (AMOCs)

The Manager, International Validation Branch, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send your request to your principal inspector or local Flight Standards District Office, as appropriate. If sending information directly to the manager of the International Validation Branch, send it to the attention of the person identified in paragraph (n) 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 local flight standards district office/certificate holding district office.

(n) Additional Information

For more information about this AD, contact Ramon Walker Perez, Aviation Safety Engineer, FAA, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; phone: (847) 294–7337; email: *ramon.a.walker.perez@faa.gov.*

(o) Material Incorporated by Reference

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

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

(i) TECNAM Service Bulletin SB 738–CS–Ed. 1, Rev. 2, dated July 5, 2024.

(ii) TECNAM Service Bulletin SB 748–CS–Ed 1, Rev. 0, dated April 22, 2024.

(3) For Tecnam material identified in this AD, contact Costruzioni Aeronautiche S.p.A., Via Maiorise, 81043 Capua CE, Italy; phone: +39 0823 622297; email: *technical.support@tecnam.com;* website: *tecnam.com.*

(4) You may view this material at the FAA, Airworthiness Products Section, Operational Safety Branch, 901 Locust, Kansas City, MO 64106. 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 26, 2025.

Steven W. Thompson,

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

[FR Doc. 2025–17516 Filed 9–10–25; 8:45 am]

BILLING CODE 4910–13–P

RAILROAD RETIREMENT BOARD

20 CFR Parts 216 and 222

RIN 3220–AB84

Eligibility for an Annuity and Family Relationships

AGENCY: Railroad Retirement Board.

ACTION: Direct final rule.

SUMMARY: The Railroad Retirement Board amends its regulations to remove facially unlawful provisions that define when the spouse, divorced spouse, surviving divorced spouse, or remarried widow(er) of a railroad employee may receive an annuity under the Railroad Retirement Act for having the employee's minor child in care. As currently written, the regulations treat male spouses less favorably than female spouses by terminating annuity entitlement when the child turns age 16 instead of age 18 as for female spouses. If enforced, this disparity would violate the right to equal protection secured by the Due Process Clause of the Fifth Amendment to the United States Constitution.

DATES: This rule is effective October 27, 2025 without further action, unless adverse comment is received by October 14, 2025. If adverse comment is received, the Railroad Retirement Board will publish a timely withdrawal of the rule in the **Federal Register**.

FOR FURTHER INFORMATION CONTACT: Peter J. Orlowicz, Senior Counsel, Railroad Retirement Board, 844 North Rush Street, Chicago, IL 60611–1275, (312) 751–4922.

SUPPLEMENTARY INFORMATION: Sections 2(c) and 2(d) of the Railroad Retirement Act, 45 U.S.C. 231a(c) and (d), provides for annuities to be paid to the wife, divorced wife, widow, surviving divorced wife, and remarried widow of a railroad employee if such person has the employee's child in care. Although the text of the Act does not provide for such annuities for husbands, divorced husbands, widowers, surviving divorced husbands, or remarried widowers who have the employee's child in care, the Supreme Court held in *Weinberger* v. *Wiesenthal,* 420 U.S. 636 (1975) that identical sex-based distinctions mandated by the provisions of the Social Security Act unjustifiably discriminated against female wage earners in violation of the right to equal protection secured by the Due Process Clause of the Fifth Amendment to the United States Constitution. Accordingly, the Board extends eligibility for such annuities to both male and female spouses who otherwise meet the eligibility criteria in the Act.

Although eligibility for railroad retirement annuities is controlled by the Railroad Retirement Act, the Act requires many calculations and definitions through reference to provisions of the Social Security Act. Beginning in 1981, the Board attempted to resolve a conflict between eligibility criteria in the Railroad Retirement Act and calculations of annuities guided by the Social Security Act by terminating child-in-care benefits when the child turned age 16, rather than age 18. This interpretation was successfully challenged on judicial review in several federal circuit courts. *Costello* v. *United States R.R. Retirement Bd.,* 780 F.2d 1352 (8th Cir. 1985); *Johnson* v. *United States R.R. Retirement Bd.,* 925 F.2d 1374 (11th Cir. 1991); *Johnson* v. *United States R.R. Retirement Bd.,* 969 F.2d 1082 (D.C. Cir. 1992). Nevertheless, the Board revised its regulations in 1989 and 1991, inserting into 20 CFR 216.51, 222.17, and 222.18, without explanation, that a child in care meant a child under age 18, except with respect to male spouses, divorced spouses, surviving divorced spouses, or remarried widower annuities, when it meant a child under age 16. 54 FR 42949 (Oct. 19, 1989); 56 FR 28692 (Jun. 24, 1991). It is unclear whether the Board ever attempted to enforce this distinction when making benefit payments, but it is not the Board's current policy or practice to apply sex-based distinctions between claimants for an annuity based on having the railroad employee's minor child in care.

As part of its review of regulations directed by Executive Order 14219, Ensuring Lawful Governance and Implementing the President's ''Department of Government Efficiency'' Deregulatory Initiative (Feb. 19, 2025), the Board identified these provisions distinguishing between male and female annuitants as unconstitutional and in direct conflict with the Supreme Court's decision in *Wiesenthal.* In accordance with the Presidential memorandum of April 9, 2025, directing the repeal of unlawful regulations, the Board is amending its regulations to remove this facially unlawful distinction. Pursuant to the memorandum, notice and comment proceedings are unnecessary when repeal is required as a matter of law to ensure consistency with a ruling of the Supreme Court. Therefore, no comments are being requested.

Regulatory Analysis

Executive Order 12866, as Supplemented by Executive Order 13563

The Board, with the Office of Management and Budget, has determined that this is not a significant regulatory action under Executive Order 12866, as supplemented by Executive Order 13563. Therefore, no regulatory impact analysis is required.

Regulatory Flexibility Act

The Board certifies that this direct final rule would not have a significant economic impact on a substantial number of small entities because it affects only individuals.

Paperwork Reduction Act

This direct final rule imposes no reporting or recordkeeping requirements subject to Office of Management and Budget clearance.

List of Subjects

20 CFR Part 216

Railroad retirement, reporting and recordkeeping requirements.

20 CFR Part 222

Claims, railroad retirement.

For the reasons stated in the preamble, the Railroad Retirement Board amends 20 CFR parts 216 and 222 as follows:

PART 216—ELIGIBILITY FOR AN ANNUITY

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

Authority: 45 U.S.C. 231f.

§ 216.51 [Amended]

■ 2. Amend § 216.51 by removing the phrase ''disabled child or minor child (a child under 18 years old if the spouse claimant is a wife, or under 16 years old if the spouse claimant is a husband) of the employee'' where it appears in paragraphs (b)(2), (c)(2), and (d)(2) and add, in its place, the phrase ''child of the employee who either is under age 18 or is disabled''.

PART 222—FAMILY RELATIONSHIPS

■ 3. The authority citation continues to read as follows:

Authority: 45 U.S.C. 231f.

§ 222.17 [Amended]

■ 4. Amend § 222.17 by removing the parenthetical ''(16 with respect to male spouse, divorced spouse, surviving divorced spouse, or remarried widow(er) annuities)'' where it appears in paragraphs (b), (c), and (d).

§ 222.18 [Amended]

■ 5. Amend § 222.18 by removing the parenthetical ''(16 with respect to male spouse, divorced spouse, surviving divorced spouse, or remarried widow(er) annuities)'' where it appears in paragraphs (a)(2) and (a)(3).

Dated: September 8, 2025.

By Authority of the Board.

Stephanie Hillyard,

Secretary to the Board.

[FR Doc. 2025–17475 Filed 9–10–25; 8:45 am]

BILLING CODE 7905–01–P

SOCIAL SECURITY ADMINISTRATION

20 CFR Part 404

[Docket No. SSA–2025–0033]

RIN 0960–AI95

Extension of Expiration Dates for 13 Body System Listings

AGENCY: Social Security Administration.

ACTION: Final rule.

SUMMARY: We are extending the expiration dates of the following body systems in the Listing of Impairments (listings) in our regulations: Low Birth Weight and Failure to Thrive, Musculoskeletal Disorders, Special Senses and Speech, Respiratory Disorders, Cardiovascular System, Genitourinary Disorders, Hematological Disorders, Endocrine Disorders, Congenital Disorders That Affect Multiple Body Systems, Neurological Disorders, Mental Disorders, Cancer (Malignant Neoplastic Diseases), and Immune System Disorders. We are making no other revisions to these body systems in this final rule. This extension ensures that we will continue to have the criteria we need to evaluate impairments in the affected body systems at step three of the sequential evaluation processes for initial claims and continuing disability reviews.

DATES: This final rule is effective on September 11, 2025.

FOR FURTHER INFORMATION CONTACT: Michael J. Goldstein, Director, Office of Medical Policy, Social Security Administration, 6401 Security Boulevard, Baltimore, MD 21235–6401, (410) 965–1020.

For information on eligibility or filing for benefits, call our national toll-free number, 1–800–772–1213, or TTY 1–800–325–0778, or visit our internet site, Social Security Online, at *https://www.socialsecurity.gov.*

SUPPLEMENTARY INFORMATION:

Background

We use the listings in appendix 1 to subpart P of part 404 of 20 CFR at the third step of the sequential evaluation process to evaluate claims filed by adults and children for benefits based on disability under the title II and title XVI programs.[1] 20 CFR 404.1520(d), 416.920(d), 416.924(d). The listings are in two parts: Part A has listings criteria for adults and Part B has listings criteria for children. If you are age 18 or over, we apply the listings criteria in Part A when we assess your impairment or combination of impairments. If you are under age 18, we first use the criteria in Part B of the listings when we assess your impairment(s). If the criteria in Part B do not apply, we may use the criteria in Part A when those criteria consider the effects of your impairment(s). 20 CFR 404.1525(b), 416.925(b).

Explanation of Changes

In this final rule, we are extending the dates on which the listings for the following 13 body systems will no longer be effective as set out in the following chart:

Body system listings	Current expiration date	New expiration date
Low Birth Weight and Failure to Thrive 100.00	August 14, 2026	August 15, 2031.
Musculoskeletal Disorders 1.00 and 101.00	April 2, 2026	April 4, 2031.
Special Senses and Speech 2.00 and 102.00	June 5, 2026	June 6, 2031.
Respiratory Disorders 3.00 and 103.00	December 12, 2025	December 13, 2030.
Cardiovascular System 4.00 and 104.00	February 6, 2026	February 7, 2031.
Genitourinary Disorders 6.00 and 106.00	December 12, 2025	December 13, 2030.
Hematological Disorders 7.00 and 107.00	June 5, 2026	June 6, 2031.
Endocrine Disorders 9.00 and 109.00	August 14, 2026	August 15, 2031.
Congenital Disorders That Affect Multiple Body Systems 10.00 and 110.00	June 5, 2026	June 6, 2031.
Neurological Disorders 11.00 and 111.00	September 29, 2025	September 27, 2030.
Mental Disorders 12.00 and 112.00	December 12, 2025	December 13, 2030.
Cancer (Malignant Neoplastic Diseases) 13.00 and 113.00	August 14, 2026	August 15, 2031.
Immune System Disorders 14.00 and 114.00	February 6, 2026	February 7, 2031.

We continue to revise and update the listings on a regular basis, including those body systems not affected by this final rule.[2] We intend to update the 13 listings affected by this final rule as necessary based on medical advances as quickly as possible, but may not be able to publish final rules revising these listings by the current expiration date. Therefore, we are extending the expiration dates listed above.

Regulatory Procedures

Justification for Final Rule

We follow the Administrative Procedure Act (APA) rulemaking procedures specified in 5 U.S.C. 553 in promulgating regulations. Section 702(a)(5) of the Social Security Act, 42 U.S.C. 902(a)(5). Generally, the APA requires that an agency provide prior notice and opportunity for public comment before issuing a final regulation. The APA provides exceptions to the notice-and-comment requirements when an agency finds there is good cause for dispensing with such procedures because they are impracticable, unnecessary, or contrary to the public interest.

We determined that good cause exists for dispensing with the notice and public comment procedures. 5 U.S.C. 553(b)(B). This final rule only extends the date on which the 13 body system listings will no longer be effective. It makes no substantive changes to our rules. Our current regulations [3] provide that we may extend, revise, or promulgate the body system listings again. Therefore, we determined that opportunity for prior comment is

[1] We also use the listings in the sequential evaluation processes we use to determine whether a beneficiary's disability continues. See 20 CFR 404.1594, 416.994, and 416.994a.

[2] We established the current expiration date of the Musculoskeletal Disorders body system on Dec. 3, 2020. 85 FR 78164. We last extended the expiration date of the Neurological Disorders body system on Aug. 2, 2021. 86 FR 41382. We last extended the expiration dates of the body systems for Respiratory Disorders, Genitourinary Disorders, and Mental Disorders on Nov. 17, 2021. 86 FR 64068. We last extended the expiration dates of the body systems for the Cardiovascular System and Immune System Disorders on Dec. 13, 2021. 86 FR 70728. We last extended the expiration dates of the body systems for Low Birth Weight and Failure to Thrive, Endocrine Disorders, and Cancer (Malignant Neoplastic Diseases) on July 18, 2022. 87 FR 42642. We last extended the expiration dates of the body systems for Special Senses and Speech, Hematological Disorders, and Congenital Disorders That Affect Multiple Body Systems on May 4, 2022. 87 FR 26268.

[3] See the first sentence of appendix 1 to subpart P of part 404 of 20 CFR.

unnecessary, and we are issuing this regulation as a final rule.

In addition, for the reasons cited above, we find good cause for dispensing with the 30-day delay in the effective date of this final rule. 5 U.S.C. 553(d)(3). We are not making any substantive changes to the listings in these body systems. Without an extension of the expiration date for these listings, we will not have the criteria we need to assess medical impairments in these 13 body systems at step three of the sequential evaluation processes. We therefore find it is in the public interest to make this final rule effective on the publication date.

Executive Order 12866, as Supplemented by Executive Order 13563

We consulted with the Office of Management and Budget (OMB) and determined that this final rule does not meet the requirements for a significant regulatory action under Executive Order 12866, as supplemented by Executive Order 13563. Therefore, OMB did not review it. We also determined that this final rule meets the plain language requirement of Executive Order 12866.

Regulatory Flexibility Act

We certify that this final rule does not have a significant economic impact on a substantial number of small entities because it affects only individuals. Therefore, a regulatory flexibility analysis is not required under the Regulatory Flexibility Act, as amended.

Paperwork Reduction Act

This final rule only extends the date for the medical listings cited above, but does not create any new or affect any existing collections, or otherwise change any content of the currently published rules. Accordingly, it does not impose any burdens under the Paperwork Reduction Act and does not require OMB approval.

(Federal Assistance Listing Nos. 96.001, Social Security—Disability Insurance; 96.002, Social Security—Retirement Insurance; 96.004, Social Security—Survivors Insurance; 96.006, Supplemental Security Income)

List of Subjects in 20 CFR Part 404

Administrative practice and procedure, Blind, Disability benefits, Old-age, Survivors and disability insurance, Reporting and recordkeeping requirements, Social Security.

For the reasons set out in the preamble, we are amending appendix 1 to subpart P of part 404 of chapter III of title 20 of the Code of Federal Regulations as set forth below.

PART 404—FEDERAL OLD-AGE, SURVIVORS AND DISABILITY INSURANCE (1950–)

Subpart P—Determining Disability and Blindness

■ 1. The authority citation for subpart P of part 404 continues to read as follows:

Authority: 42 U.S.C. 402, 405(a)–(b) and (d)–(h), 416(i), 421(a) and (h)–(j), 422(c), 423, 425, 902(a)(5), and 1320e–3; sec. 211(b), Pub. L. 104–193, 110 Stat. 2105, 2189; sec. 202, Pub. L. 108–203, 118 Stat. 509 (42 U.S.C. 902 note).

■ 2. Amend appendix 1 to subpart P of part 404 in the introductory text by revising items 1 through 5, 7 and 8, and 10 through 15 to read as follows:

Appendix 1 to Subpart P of Part 404—Listing of Impairments

* * * * *

1. Low Birth Weight and Failure to Thrive (100.00): August 15, 2031.

2. Musculoskeletal Disorders (1.00 and 101.00): April 4, 2031.

3. Special Senses and Speech (2.00 and 102.00): June 6, 2031.

4. Respiratory Disorders (3.00 and 103.00): December 13, 2030.

5. Cardiovascular System (4.00 and 104.00): February 7, 2031.

* * * * *

7. Genitourinary Disorders (6.00 and 106.00): December 13, 2030.

8. Hematological Disorders (7.00 and 107.00): June 6, 2031.

* * * * *

10. Endocrine Disorders (9.00 and 109.00): August 15, 2031.

11. Congenital Disorders That Affect Multiple Body Systems (10.00 and 110.00): June 6, 2031.

12. Neurological Disorders (11.00 and 111.00): September 27, 2030.

13. Mental Disorders (12.00 and 112.00): December 13, 2030.

14. Cancer (Malignant Neoplastic Diseases) (13.00 and 113.00): August 15, 2031.

15. Immune System Disorders (14.00 and 114.00): February 7, 2031.

* * * * *

Frank J. Bisignano,

Commissioner, Social Security Administration.

[FR Doc. 2025–17560 Filed 9–10–25; 8:45 am]

BILLING CODE 4191–02–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 100

[Docket Number USCG–2025–0586]

RIN 1625–AA08

Special Local Regulation; Galveston Channel, Galveston, TX

AGENCY: Coast Guard, DHS.

ACTION: Final rule.

SUMMARY: The Coast Guard is establishing a special local regulation for the safety of life on certain waters of the Galveston Channel in Galveston County, TX. These regulations will be enforced during a boat parade which will be held annually, on the third Saturday in September. This proposed rulemaking prohibits entry of non-participants into the regulated area unless specifically authorized by the Captain of the Port, Sector Houston-Galveston (COTP) or designated representative.

DATES: This rule is effective September 16, 2025.

ADDRESSES: To view documents mentioned in this preamble as being available in the docket, go to *https://www.regulations.gov,* type USCG–2025–0586 in the search box and click ''Search.'' Next, in the Document Type column, select ''Supporting & Related Material.''

FOR FURTHER INFORMATION CONTACT: If you have questions about this proposed rulemaking, call or email Lieutenant Ignacio J. Fernández-Cuervo, Marine Safety Unit Texas City, Waterways Management Division, U.S. Coast Guard; telephone (281) 309–1617, email *MSUTexasCityWaterways@uscg.mil.*

SUPPLEMENTARY INFORMATION:

I. Table of Abbreviations

CFR Code of Federal Regulations
COTP Captain of the Port, Houston-Galveston
DHS Department of Homeland Security
FR Federal Register
NPRM Notice of proposed rulemaking
PATCOM Patrol Commander
§ Section
SLR Special Local Regulation
U.S.C. United States Code

II. Background Information and Regulatory History

Coast Guard regulations define ''regatta or marine parade'' as an organized water event of limited duration which is conducted according to a prearranged schedule. 33 CFR

100.05(a). And, as explained in 33 CFR 100.15, the Coast Guard requires that an organization planning to hold a regatta or marine event apply for a permit if the event, by its nature, circumstances, or location, will introduce extra or unusual hazards to the safety of life on the navigable waters of the United States. Upon the approval of an application, under 33 CFR 100.35(a), the COTP may promulgate such ''Special Local Regulations'' (SLR's) as he or she deems necessary to ensure safety of life on the navigable waters immediately prior to, during, and immediately after the event.

The Texian Navy submitted a marine event permit application in 2024 for a boat parade, and the event was permitted by the Coast Guard with a temporary SLR created for the event, which expired after the 2024 event completion. The Texian Navy submitted a new marine event permit application again in 2025 and expressed intent to submit applications annually to hold the event on the same day each year (the third Saturday in September). In response, on August 8, 2025, the Coast Guard published a notice of proposed rulemaking (NPRM) titled Special Local Regulation; Galveston Channel, Galveston, TX (90 FR 38423). There we stated why we issued the NPRM and invited comments on our proposed regulatory action related to this boat parade. During the comment period that ended August 18, 2025, we received no comments.

Under 5 U.S.C. 553(d)(3), the Coast Guard finds that good cause exists for making this rule effective less than 30 days after publication in the **Federal Register**. Delaying the effective date of this rule would be contrary to the public interest because prompt action is needed to respond to the potential safety hazards associated with the 2025 boat parade scheduled for September 20, 2025.

III. Legal Authority and Need for Rule

The Coast Guard is issuing this rule under the authority in 46 U.S.C. 70041. The Captain of the Port Sector Houston-Galveston (COTP) has determined that potential hazards associated with the boat parade will be a safety concern for anyone within a 200-yard radius of the parade in the Galveston Channel. This rule is needed to protect personnel, vessels, and the marine environment in the navigable waters within the regulated areas while the parade is ongoing.

IV. Discussion of Comments, Changes, and the Rule

As noted above, we received no comments on our NPRM published August 8, 2025. There are no changes in the regulatory text of this rule from the proposed rule in the NPRM.

This rule modifies 33 CFR 100.801 by listing a new recurring marine event in Table 3 of § 100.801, which covers the Coast Guard Sector Houston-Galveston COTP Zone. The regulated area created by this rule would encompass three zones to include a Pre-Staging Zone, Spectator Zone, and Parade Transit Zone as described below:

Pre-Staging Zone: This area is the pre-staging area for participating vessels to line up. It will include all waters within a 200-yard radius of 29°20′23″ N, 094°46′37″ W.

Spectator Zone: All vessels that will be viewing the event will be required to stay within a designated area. The sponsor is responsible for marking the spectator zone with four buoys on the outer corners and ensuring that all vessels within the area are anchored and remain in the area during parade transit. The following coordinates are the approximate location of the Spectator Zone: 29°19′17″ N, 094°46′36″ W, thence to 29°19′37″ N, 094°46′53″ W, and both points connecting to the eastern shore.

Parade Transit Zone: This area is exclusive to vessels participating in the parade. It will include all waters within the following areas: 29°19′07.02″ N, 094°47′10.98″ W, thence to 29°18′55.43″ N, 094°47′04.23″ W, thence to 29°20′29.45″ N, 094°46′14.18″ W, thence to 29°20′32.68″ N, 094°46′29.94″ W, and along the shore line back to the beginning point.

A person or vessel not registered with the event sponsor as a participant or assigned as official patrols would be considered a spectator. A spectator vessel must not loiter within the navigable channel while within the regulated area. Official patrol vessels would direct spectators to the designated spectator zone. Official Patrols are any vessel assigned or approved by the Commander, Coast Guard Sector Houston-Galveston with a commissioned, warrant, or petty officer onboard and displaying a Coast Guard ensign. Official Patrols enforcing this regulated area can be contacted on VHF–FM channel 12. All non-participants will be prohibited from entering the established pre-staging and parade transit zones without obtaining permission from the on-water Safety Officer or designated representative. To seek permission to enter, contact the COTP or the COTP's representative by VHF Radio Channel 12. Those in the regulated area must comply with all lawful orders or directions given to them by the COTP or the designated representative.

The term ''designated representative'' means Coast Guard Patrol Commanders, including Coast Guard coxswains, petty officers, and other officers operating Coast Guard vessels, and Federal, state, and local officers designated by or assisting the Captain of the Port Houston-Galveston in the enforcement of the regulated areas.

V. Regulatory Analyses

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

A. Impact on Small Entities

The Regulatory Flexibility Act of 1980, 5 U.S.C. 601–612, as amended, requires Federal agencies to consider the potential impact of regulations on small entities during rulemaking. The term ''small entities'' comprises small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000. The Coast Guard received no comments from the Small Business Administration on this rulemaking. The Coast Guard certifies under 5 U.S.C. 605(b) that this rule will not have a significant economic impact on a substantial number of small entities for the following reasons. The zone will be for only one day each year. Vessel traffic will be able to safely transit around the regulated areas which would impact a small, designated area of the Galveston Channel for less than five hours. The Coast Guard will issue a Broadcast Notice to Mariners via VHF–FM marine channel 16 about the zone, and the rule will allow vessels to seek permission to enter the regulated areas.

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

Small businesses may send comments on the actions of Federal employees who enforce, or otherwise determine compliance with, Federal regulations to the Small Business and Agriculture Regulatory Enforcement Ombudsman and the Regional Small Business

Regulatory Fairness Boards. The Ombudsman evaluates these actions annually and rates each agency's responsiveness to small business. If you wish to comment on actions by employees of the Coast Guard, call 1–888–REG–FAIR (1–888–734–3247). The Coast Guard will not retaliate against small entities that question or complain about this rule or any policy or action of the Coast Guard.

B. Collection of Information

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

C. Federalism and Indian Tribal Governments

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

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

D. Unfunded Mandates Reform Act

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

E. Environment

We have analyzed this rule under Department of Homeland Security Directive 023–01, Rev. 1, associated implementing instructions, and Environmental Planning COMDTINST 5090.1 (series), which guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (42 U.S.C. 4321–4370f), and have determined that this action is one of a category of actions that do not individually or cumulatively have a significant effect on the human environment. This rule involves a marine event and special local regulation lasting only five hours that will prohibit entry within 200 yards of the vessel staging area, parade transit zone, and designate a vessel spectator zone. It is categorically excluded from further review under paragraph L61 of Appendix A, Table 1 of DHS Instruction Manual 023–01–001–01, Rev. 1. A Record of Environmental Consideration supporting this determination is available in the docket. For instructions on locating the docket, see the **ADDRESSES** section of this preamble.

List of Subjects in 33 CFR Part 100

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

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

PART 100—SAFETY OF LIFE ON NAVIGABLE WATERS

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

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

■ 2. In § 100.801, amend table 3 by adding a new entry at the end of the table to read as follows:

§ 100.801 Annual Marine Events in the Eighth Coast Guard District.

* * * * *

TABLE 3 OF § 100.801—SECTOR HOUSTON-GALVESTON ANNUAL AND RECURRING MARINE EVENTS

Date	Event/sponsor	Houston-Galveston location	Regulated area
*	*	*	*
10. Third Saturday in September.	Texian Navy Day Celebration/The Texas Navy Association.	Galveston Channel, TX.	*Pre-Staging Zone:* This area is the pre-staging area for participating vessels to line up. It will include all waters within a 200-yard radius of 29°20′23″ N, 094°46′37″ W. *Spectator Zone:* All vessels that will be viewing the event will be required to stay within a designated area. The sponsor is responsible for marking the spectator zone with four buoys on the outer corners and ensuring that all vessels within the area are anchored and remain in the area during parade transit. The following coordinates are the approximate location of the Spectator Zone: 29°19′17″ N, 094°46′36″ W, thence to 29°19′37″ N, 094°46′53″ W, and both points connecting to the eastern shore. *Parade Transit Zone:* This area is exclusive to vessels participating in the parade. It will include all waters within the following areas: 29°19′07.02″ N, 094°47′10.98″ W, thence to 29°18′55.43″ N, 094°47′04.23″ W, thence to 29°20′29.45″ N, 094°46′14.18″ W, thence to 29°20′32.68″ N, 094°46′29.94″ W, and along the shore line back to the beginning point.

* * * * *

Dated: September 8, 2025.

Nicole D. Rodriguez,

Captain, U.S. Coast Guard, Captain of the Port Houston-Galveston.

[FR Doc. 2025–17545 Filed 9–10–25; 8:45 am]

BILLING CODE 9110–04–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R08–OAR–2025–0204; FRL–12942–02–R8]

Air Plan Approval; Wyoming; R–35 Wyoming Air Quality Standards and Regulations Rule Package

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule.

SUMMARY: The Environmental Protection Agency (EPA) is taking direct final action to approve revisions to the Wyoming State Implementation Plan (SIP) submitted by the Wyoming Department of Environmental Quality (WDEQ) on December 16, 2024. WDEQ requested the EPA approve the revised rules for Chapters 2, 3, 4, 8, and 14 in the Wyoming Air Quality Standards and Regulations (WAQSR). The revised rules include non-substantive updates to rule language that ensure consistent grammar, formatting, and written clarity as well as updated references to the Code of Federal Regulations (CFR). The EPA is taking this action pursuant to the Clean Air Act (CAA).

DATES: This direct final rule is effective on November 10, 2025, without further notice, unless the EPA receives adverse comments by October 14, 2025. If adverse comments are received, the EPA will publish a timely withdrawal of the direct final rule in the **Federal Register** informing the public that the rule will not take effect.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA–R08–OAR–2025–0204, to the Federal Rulemaking Portal: *https://www.regulations.gov.* Follow the online instructions for submitting comments. Once submitted, comments cannot be edited or removed from *https://www.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.*

Docket: The EPA has established a docket for this action under Docket ID No. EPA–R08–OAR–2025–0204. 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.,* 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.

FOR FURTHER INFORMATION CONTACT: Chelsea Cancino, Air and Radiation Division, EPA, Region 8, Mailcode 8ARD–IO, 1595 Wynkoop Street, Denver, Colorado 80202–1129, telephone number: (303) 312–6276, email address: *cancino.chelsea@epa.gov.*

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

I. Background

WDEQ reviewed its regulations and concluded that rule revisions were needed to modify the wording of selected text to correct typographical errors and reflect new formatting guidelines. WDEQ adopted these various minor revisions and updated their rules on April 30, 2024, and then requested that the EPA approve these revisions into the Wyoming SIP in a submittal dated December 16, 2024.

II. The EPA's Evaluation

WDEQ has requested that the EPA approve revised rules under Chapter 2, 3, 4, 8, and 14 of the WAQSR. These revisions adopt minor changes in rule language to meet updated state style and formatting guidelines. These revisions also include Incorporation by Reference (IBR) material in Wyoming's SIP. IBR allows state agencies to comply with the requirement to adopt certain Federal rules by referring to materials already published in the CFR. In this SIP revision, Wyoming is incorporating by reference 40 CFR parts 50, 51, 53, 60, 81, and 93 as published on July 1, 2023. No terms or definitions were added or removed from the revised sections. Since the revisions are minor in nature, do not make this rule less stringent, and do not affect the scope or intent of the rules, the EPA finds that the revisions to these chapters are approvable.

With regard to the approval of WAQSR Chapter 02, Section 04, ''Ambient Standards for Sulfur Oxides,'' we note that the December 16, 2024 submittal supersedes the revisions to this section contained in WDEQ's February 10, 2014 SIP submittal that the EPA had not previously acted on.[1]

III. Final Action

The EPA is approving the December 16, 2024, submission by WDEQ as a revision to the Wyoming SIP. Specifically, the EPA is approving updates to WAQSR Chapters 2, 3, 4, 8, and 14 as detailed in table 1 below.

We are publishing this action without a prior proposed rule because we view these SIP revisions as noncontroversial and anticipate no relevant adverse comment. The revisions are administrative in nature and do not constitute substantive changes to Wyoming's SIP. However, in the ''Proposed Rules'' section of this **Federal Register** publication, we are publishing a separate action to approve the revisions to Wyoming's SIP submitted by the WDEQ on December 16, 2024 if adverse comments are received on this direct final rule. We will not institute a second comment period on this action. Any parties interested in commenting must do so at this time. For further information about commenting on this rule, see the **ADDRESSES** section of this document.

If the EPA receives adverse comment, we will publish a timely withdrawal in the **Federal Register** informing the public that this direct final rule, or the relevant provisions of this rule, will not take effect. We would address all public comments in any subsequent final rule based on the proposed rule. If we receive adverse comment on a distinct provision of this rulemaking, we will publish a timely withdrawal in the

[1] See 80 FR 45608, July 31, 2015, in which the EPA did not act on the State's proposed revisions to WAQSR Chapter 02, Section 04(a), 4(a)(i) and 4(a)(ii). These provisions are removed from Chapter 02, Section 04 as submitted December 16, 2024, and the EPA considers this submittal to supersede that of February 10, 2014.

Federal Register indicating which provisions we are withdrawing. The provisions that are not withdrawn will become effective on the date set out above, notwithstanding adverse comment on any other provision.

TABLE 1—EPA'S EVALUATION

Rule No.	Rule title	Revision summary	EPA's proposed action
Chapter 02. Ambient Standards			
Section 02	Ambient Standards for Particulate Matter	Non-substantive formatting revisions	Approval.
Section 03	Ambient Standards for Nitrogen Oxides	Non-substantive formatting revisions	Approval.
Section 04	Ambient Standards for Sulfur Oxides	Non-substantive formatting revisions	Approval.
Section 05	Ambient Standards for Carbon Monoxide	Non-substantive formatting revisions	Approval.
Section 06	Ambient Standards for Ozone	Non-substantive formatting revisions	Approval.
Section 08	Ambient Standards for Suspended Sulfates	Non-substantive formatting revisions	Approval.
Section 10	Ambient Standards for Lead	Non-substantive formatting revisions	Approval.
Section 12	Incorporation by Reference	Updated adoption of the CFR as of July 1, 2023 and associated weblink.	Approval.
Chapter 03. General Emission Standards			
Section 02	Emission Standards for Particulate Matter	Non-substantive formatting revisions	Approval.
Section 03	Emission Standards for Nitrogen Oxides	Non-substantive formatting revisions	Approval.
Section 04	Emission Standards for Sulfur Oxides	Non-substantive formatting revisions	Approval.
Section 05	Emission Standards for Carbon Monoxide	Non-substantive formatting revisions	Approval.
Section 06	Emission Standards for Volatile Organic Compounds.	Non-substantive formatting revisions	Approval.
Section 09	Incorporation by Reference	Updated adoption of the CFR as of July 1, 2023 and associated weblink.	Approval.
Chapter 04. State Performance Standards for Specific Existing Sources			
Section 02	Existing Sulfuric Acid Production Units	Non-substantive formatting revisions	Approval.
Section 03	Existing Nitric Acid Manufacturing Plants	Non-substantive formatting revisions	Approval.
Chapter 08. Non-attainment Area Regulations			
Section 02	Sweetwater County Particulate Matter Regulations	Non-substantive formatting revisions	Approval.
Section 03	Conformity of General Federal Actions to State Implementation Plans.	Non-substantive formatting revisions	Approval.
Section 05	Ozone Nonattainment Emission Inventory Rule	Non-substantive formatting revisions	Approval.
Section 10	Incorporation by Reference	Updated adoption of the CFR as of July 1, 2023 and associated weblink.	Approval.
Chapter 14. Emission Trading Program Regulations			
Section 2	Western Backstop Sulfur Dioxide Trading Program	Non-substantive formatting revisions	Approval.
Section 3	Sulfur Dioxide Milestone Inventory	Non-substantive formatting revisions	Approval.
App A	WEB Chapter 14, Section 2 Monitoring Protocols	Non-substantive formatting revisions	Approval.

IV. Incorporation by Reference

In this document, the EPA is finalizing regulatory text that includes IBR. In accordance with requirements of 1 CFR 51.5, the EPA is finalizing the IBR of WAQSR as described in section III. of this preamble and as set forth below in the amendments set forth 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 8 Office (please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section of this preamble for more information). Therefore, these materials have been approved by the EPA for inclusion in the SIP, have been IBR by the EPA into that plan, are fully federally enforceable under sections 110 and 113 of the CAA as of the effective date of the final rulemaking of the EPA's approval, and will be IBR in the next update to the SIP compilation.[2]

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. 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.*);

[2] 62 FR 27968 (May 22, 1997).

• 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).

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

Under section 307(b)(1) of the CAA, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by November 10, 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, Carbon monoxide, Greenhouse gases, Incorporation by reference, Intergovernmental relations, Lead, Nitrogen dioxide, Ozone, Particulate matter, Reporting and recordkeeping requirements, Sulfur oxides, Volatile organic compounds.

Dated: August 29, 2025.

Cyrus M. Western,

Regional Administrator, Region 8.

For the reasons stated in the preamble, the Environmental Protection Agency is amending title 40 CFR part 52 as follows:

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

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

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

Subpart ZZ—Wyoming

■ 2. In § 52.2620, the table in paragraph (c) is amended by:

■ a. Under the heading ''Chapter 02. Ambien Standards'', revising the entries ''Section 02'', ''Section 03'', ''Section 04'', ''Section 05'', ''Section 06'', ''Section 08'', ''Section 10'', ''Section 12'';

■ b. Under the heading ''Chapter 03. General Emission Standards'', revising the entries ''Section 02'', ''Section 03'', ''Section 04'', ''Section 05'', ''Section 06'', ''Section 09'';

■ c. Under the heading ''Chapter 04. State Performance Standards for Specific Existing Sources'', revising the entries ''Section 02'', Section 03'';

■ d. Under the heading ''Chapter 08. Non-attainment Area Regulations'', revising the entries ''Section 02'', ''Section 03'', ''Section 05'', ''Section 10''; and

■ e. Under the heading ''Chapter 14. Emission Trading Program Regulations'', revising the entries ''Section 2'', ''Section 3'', and ''App A''.

The revisions read as follows:

§ 52.2620 Identification of plan.

* * * * *

(c) * * *

Rule No.	Rule title	State effective date	EPA effective date	Final rule citation/date	Comments
*	*	*	*	*	* *
Chapter 02. Ambient Standards					
Section 02	Ambient Standards for Particulate Matter.	4/30/2024	9/11/2025	90 FR [insert **Federal Register** page where the document begins], 9/11/2025.	
*	*	*	*	*	* *
Section 03	Ambient Standards for Nitrogen Oxides.	4/30/2024	9/11/2025	90 FR [insert **Federal Register** page where the document begins], 9/11/2025.	
Section 04	Ambient Standards for Sulfur Oxides.	4/30/2024	9/11/2025	90 FR [insert **Federal Register** page where the document begins], 9/11/2025.	
Section 05	Ambient Standards for Carbon Monoxide.	4/30/2024	9/11/2025	90 FR [insert **Federal Register** page where the document begins], 9/11/2025.	
Section 06	Ambient Standards for Ozone.	4/30/2024	9/11/2025	90 FR [insert **Federal Register** page where the document begins], 9/11/2025.	
Section 08	Ambient Standards for Suspended Sulfates.	4/30/2024	9/11/2025	90 FR [insert **Federal Register** page where the document begins], 9/11/2025.	

Rule No.	Rule title	State effective date	EPA effective date	Final rule citation/date	Comments
Section 10	Ambient Standards for Lead.	4/30/2024	9/11/2025	90 FR [insert **Federal Register** page where the document begins], 9/11/2025.	
Section 12	Incorporation by Reference.	4/30/2024	9/11/2025	90 FR [insert **Federal Register** page where the document begins], 9/11/2025.	
Chapter 03. General Emission Standards					
Section 02	Emission Standards for Particulate Matter.	4/30/2024	9/11/2025	90 FR [insert **Federal Register** page where the document begins], 9/11/2025.	
Section 03	Emission Standards for Nitrogen Oxides.	4/30/2024	9/11/2025	90 FR [insert **Federal Register** page where the document begins], 9/11/2025.	
Section 04	Emission Standards for Sulfur Oxides.	4/30/2024	9/11/2025	90 FR [insert **Federal Register** page where the document begins], 9/11/2025.	
Section 05	Emission Standards for Carbon Monoxide.	4/30/2024	9/11/2025	90 FR [insert **Federal Register** page where the document begins], 9/11/2025.	
Section 06	Emission Standards for Volatile Organic Compounds.	4/30/2024	9/11/2025	90 FR [insert **Federal Register** page where the document begins], 9/11/2025.	
Section 09	Incorporation by Reference.	4/30/2024	9/11/2025	90 FR [insert **Federal Register** page where the document begins], 9/11/2025.	
Chapter 04. State Performance Standards for Specific Existing Sources					
Section 02	Existing Sulfuric Acid Production Units.	4/30/2024	9/11/2025	90 FR [insert **Federal Register** page where the document begins], 9/11/2025.	
Section 03	Existing Nitric Acid Manufacturing Plants.	4/30/2024	9/11/2025	90 FR [insert **Federal Register** page where the document begins], 9/11/2025.	
*	*	*	*	*	*
Chapter 08. Non-attainment Area Regulations					
Section 02	Sweetwater County Particulate Matter Regulations.	4/30/2024	9/11/2025	90 FR [insert **Federal Register** page where the document begins], 9/11/2025.	
Section 03	Conformity of General Federal Actions to State Implementation Plans.	4/30/2024	9/11/2025	90 FR [insert **Federal Register** page where the document begins], 9/11/2025.	
Section 05	Ozone Nonattainment Emission Inventory Rule.	4/30/2024	9/11/2025	90 FR [insert **Federal Register** page where the document begins], 9/11/2025.	
Section 10	Incorporation by Reference.	4/30/2024	9/11/2025	90 FR [insert **Federal Register** page where the document begins], 9/11/2025.	
*	*	*	*	*	*
Chapter 14. Emission Trading Program Regulations					
Section 2	Western Backstop Sulfur Dioxide Trading Program.	4/30/2024	9/11/2025	90 FR [insert **Federal Register** page where the document begins], 9/11/2025.	90 FR [insert **Federal Register** page where the document begins], 9/11/2025.
Section 3	Sulfur Dioxide Milestone Inventory.	4/30/2024	9/11/2025	90 FR [insert **Federal Register** page where the document begins], 9/11/2025.	90 FR [insert **Federal Register** page where the document begins], 9/11/2025.
App A	Web Chapter 14, Section 2 Monitoring Protocols.	4/30/2024	9/11/2025	90 FR [insert **Federal Register** page where the document begins], 9/11/2025.	90 FR [insert **Federal Register** page where the document begins], 9/11/2025.
*	*	*	*	*	*

* * * * *

[FR Doc. 2025–17486 Filed 9–10–25; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R02–OAR–2025–0088; FRL–12760–02–R2]

Air Plan Approval; New Jersey; Memorandum of Agreement To Address NO_X SIP Call Requirements

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: The Environmental Protection Agency (EPA) is approving a revision in the New Jersey State Implementation Plan (SIP) that includes a signed Memorandum of Agreement (MOA) developed between the EPA and the New Jersey Department of Environmental Protection (NJDEP). The MOA demonstrates how the State will maintain compliance with its nitrogen oxides (NO_X) emission control obligations for the types of large non-electricity generating units (non-EGUs) that were previously regulated under the New Jersey NO_X Budget Program. This action is being taken in accordance with the requirements of the Clean Air Act (CAA).

DATES: This rule is effective on October 14, 2025.

ADDRESSES: The EPA has established a docket for this action under Docket ID Number EPA–R02–OAR–2025–0088. 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.,* Controlled Unclassified Information (CUI) (formerly referred to as Confidential Business Information (CBI)) or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the internet and will be publicly available only in hard copy form. Publicly available docket materials are available electronically through *https://www.regulations.gov.*

FOR FURTHER INFORMATION CONTACT: Fausto Taveras, Environmental Protection Agency, Region 2, Air Programs Branch, 290 Broadway, New York, New York 10007–1866, telephone number: (212) 637–3378, email address: *taveras.fausto@epa.gov.*

SUPPLEMENTARY INFORMATION: Throughout this document, whenever ''we,'' ''us,'' or ''our'' is used, we mean EPA.

The **SUPPLEMENTARY INFORMATION** section is arranged as follows:

Table of Contents

I. Background
II. What comments were received in response to the EPA's proposed action?
III. What action is the EPA taking?
IV. Incorporation by Reference
V. Statutory and Executive Order Reviews

I. Background

On March 7, 2024, New Jersey submitted a commitment letter to the EPA to develop an MOA between the EPA and NJDEP that outlines how NJDEP will comply with their outstanding obligations under the NO_X SIP Call, specifically for the types of non-EGUs that were previously regulated by the New Jersey NO_X Budget Program (N.J.A.C. 7:27-Subchapter 31) and were not included in the subsequent CAIR FIP trading program.

Subsequently, on May 31, 2024, New Jersey submitted an updated commitment letter to revise and replace the previous March 7, 2024, letter. This revision occurred due to NJDEP conducting further analysis to determine which units would have been classified as non-EGU under the applicability criteria of the New Jersey NO_X Budget Program (N.J.A.C. 7:21-Subchapter 31), as in effect as of September 30, 2008. As a result of this analysis, the value of the non-EGU budget was adjusted.[1] The revised commitment letter adjusted the non-EGU budgets for the affected units' aggregated emissions during the ozone season and revised the date by which the State would submit the MOA to the EPA. In New Jersey's May 31, 2024, letter, the State committed to submitting the MOA to the EPA by no later than March 7, 2025. New Jersey provided a date certain for purposes of CAA 110(k)(4), which authorizes the EPA to conditionally approve a plan revision based on a commitment by the State to adopt specific enforceable measures by a date certain, but no later than one year after the date of the plan approval. On September 3, 2024, the EPA conditionally approved the removal of New Jersey's NO_X Budget Program (Subchapter 31) from the New Jersey SIP. *See* 89 FR 71185. As indicated in New Jersey's May 31, 2024, commitment letter, the EPA would take action to incorporate by reference the finalized MOA as an enforceable SIP revision by no later than one year from the date the EPA conditionally approves the New Jersey SIP revision to removal the State's CAIR and NO_X Budget Programs from the SIP.

On June 3, 2025, the EPA proposed to approve a revision in New Jersey's SIP submitted by NJDEP on February 13, 2025. *See* 90 FR 23497. Within that proposal, the EPA proposed to determine that a fully executed and signed MOA submitted by New Jersey on February 13, 2025, effectively outlined the primary responsibilities between NJDEP and EPA to ensure the State's successful and effective compliance with the NO_X SIP Call under 40 CFR 51.121(r)(2). Under the MOA, NJDEP will have the primary responsibilities of ensuring that its non-EGU sources are in compliance with the State's SIP-approved NO_X emission limits, monitoring, reporting, and recordkeeping provisions under the NO_X SIP Call and as otherwise approved in New Jersey's SIP. Specifically, the MOA between NJDEP and EPA will ensure that new, modified, and existing non-EGUs in the State meeting the applicability criteria of the New Jersey NO_X Budget Program (N.J.A.C. 7:27–31) as in effect as of September 30, 2008, adhere to emission limits, monitoring, recordkeeping, and reporting requirements as outlined in the relevant provisions of New Jersey's SIP, including the State's federally-approved NO_X RACT provisions under N.J.A.C. 7:27–19, ''Control and Prohibition of Air Pollution from Oxides of Nitrogen.'' [2] Through the MOA, the EPA has determined that New Jersey would satisfy its monitoring requirements of the NO_X SIP call under 40 CFR 51.121(f)(1) and 40 CFR 51.121(i) by administering and overseeing the testing and monitoring requirements applicable the non-EGUs through the State's federally approved RACT regulation under N.J.A.C. 7:27–19.

Under the MOA, NJDEP will also have the responsibility of ensuring affected non-EGUs will comply with the State's federally-approved Emission Statement Program under N.J.A.C. 7:27–21, ''Emission Statements.'' [3] Through the

[1] NJDEP analysis determined that the natural gas turbine unit located at cogeneration facility, EF Kenilworth, was subject to the NO_X Budget Program as a small EGU (*i.e.,* an EGU serving an electricity generator with nameplate capacity of at least 15 MW but not greater than 25 MW).

[2] On October 9, 2018, the EPA approved New Jersey's revisions to N.J.A.C 7:27 Subchapter 16 and Subchapter 19 as satisfying RACT for the Moderate classification of the 2008 ozone NAAQS and associated RACT requirements for States located within the Ozone Transport Region. See 83 FR 50506.

[3] The EPA most recently approved New Jersey's Emission Statement Program, at N.J.A.C. 7:27–21, for satisfying the requirement of an emission statement program for the 2008 8-hour ozone

Continued

MOA, NJDEP agrees to compare the actual emissions of NO_X during the ozone season obtained from the affected non-EGUs' emission statement reports with the NO_X ozone season budget applicable to the affected non-EGUs and set under New Jersey's NO_X Budget Program, *i.e.,* 745 tons of NO_X per ozone season. As recognized in the MOA, the reporting and recordkeeping requirements applicable to non-EGUs through the State's RACT regulation under N.J.A.C. 7:27–19 and the State's Emission Statement Program under N.J.A.C. 7:27–21 satisfy the NO_X SIP Call's reporting and recordkeeping requirements of 40 CFR 51.121(i).

To facilitate New Jersey's compliance with the requirements of 40 CFR 51.122, the State will be required to submit to the EPA an annual report of NO_X emissions from the applicable non-EGUs. Specifically, the MOA directly specifies that New Jersey's non-EGU NO_X budget for compliance demonstrations purposes is 745 tons of NO_X per ozone season. These annual reports will be submitted after each ozone season and will be used to verify the non-EGU budget for that ozone season was not exceeded. In the event of an exceedance, New Jersey commits to submitting a revised SIP to the EPA, which will address any budget shortfall resulting from the exceedance and ensure that the State's 745 tons of NO_X per ozone season budget is complied with in future years. Under the MOA, the EPA will have the responsibility of reviewing the annual reports submitted by the State and informing NJDEP as soon as practicable about any discrepancies in demonstrations and supporting information.

The specific details regarding New Jersey's SIP submittals, commitment letters, the contents of the MOA, and the EPA's rationale to incorporate by reference this signed and executed MOA into New Jersey's SIP are thoroughly explained in the EPA's proposed rulemaking. These details are not repeated in this final action. For this comprehensive information, readers are directed to the EPA's proposed rulemaking published on June 3, 2025 (90 FR 23497).

II. What comments were received in response to the EPA's proposed action?

The EPA provided a 30-day review and comment period for the June 3, 2025, proposed rule. The comment period ended on July 3, 2025. We received no comments on the EPA's action. Therefore, we are finalizing our action as proposed.

III. What action is the EPA taking?

The EPA is approving a revision in the New Jersey SIP submitted by NJDEP on February 13, 2025. The SIP revision includes a MOA that outlines the responsibilities between the NJDEP and the EPA to ensure New Jersey's successful and effective compliance with the NO_X SIP Call. The EPA has determined that the MOA establishes the mechanism by which New Jersey will report to the EPA, which is consistent with the State's obligations under the NO_X SIP Call. The MOA also ensures that the ozone season NO_X emissions from applicable existing and new non-EGU units will not exceed a budget of 745 tons per ozone season.

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 NJDEP's Memorandum of Agreement with the EPA to address the NO_X SIP Call described in the amendments to 40 CFR part 52 as discussed in section I. of this preamble. These documents are available in the docket of this rulemaking through *https://www.regulations.gov*. Therefore, these materials have been approved by the EPA for inclusion in the State Implementation Plan, have been incorporated by reference by the EPA into that plan, are fully federally enforceable under sections 110 and 113 of the CAA as of the effective date of the final rulemaking of the EPA's approval, and will be incorporated by reference in the next update to the SIP compilation.[4]

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. 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 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 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).

This action is subject to the Congressional Review Act (CRA), and 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 CAA, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by November 10, 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

NAAQS Serious classification on September 4, 2024. See 89 FR 71826.

[4] 62 FR 27968 (May 22, 1997).

enforce its requirements. *See* CAA section 307(b)(2).

List of Subjects in 40 CFR Part 52

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

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

Michael Martucci,

Regional Administrator, Region 2.

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

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

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

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

Subpart FF—New Jersey

■ 2. In § 52.1570, the table in paragraph (c) is amended by adding the entry ''NJDEP's Memorandum of Agreement with the EPA to address the NO_X SIP Call'' at the end of the table to read as follows:

§ 52.1570 Identification of plan.

* * * * *

(c) * * *

EPA-APPROVED NEW JERSEY STATE REGULATIONS AND LAWS

State citation	Title/subject	State effective date	EPA approval date	Comments
*	*	*	*	*
NJDEP's Memorandum of Agreement with the EPA to address the NO_X SIP Call.	Memorandum of Agreement Implementation of New Jersey's NO_X SIP Call Requirements under 40 CFR 51.121(r)(2) between NJDEP and EPA Region 2.	January 30, 2025.	9/11/2025, 90 FR [insert FEDERAL REGISTER page where the document begins].	• This MOA demonstrates how New Jersey will maintain compliance with its NO_X emission control obligations for the types of large non-EGUs that were previously regulated under the New Jersey NO_X Budget Program, formally N.J.A.C. 7:27-Subchapter 31.

* * * * *

[FR Doc. 2025–17485 Filed 9–10–25; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 261

[EPA–R06–RCRA–2022–0653; FRL–10104–03–R6]

Hazardous Waste Management System; Identification and Listing of Hazardous Waste; Final Rule; Correction

AGENCY: Environmental Protection Agency (EPA).

ACTION: Correcting amendment.

SUMMARY: The Environmental Protection Agency (EPA or the Agency) is correcting a typographical error in a final rule published in the **Federal Register** on June 17, 2025. The final rule granted a petition submitted by WRB Refining in Borger, Texas to exclude (or ''delist'') 7,000 cubic yards of F037 (petroleum refinery sludge) solids to be removed from their stormwater storage tanks for a one-time delisting.

DATES: Effective on September 11, 2025.

ADDRESSES: The EPA has established a docket for this action under Docket ID No. EPA–R06–RCRA–2022–0653. All documents in this 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 disclosures is restricted by statute. Certain other material, such as copyrighted material, is not placed on the internet and will be publicly available only in hard copy form. Publicly available docket materials are available electronically through *https://www.regulations.gov*.

FOR FURTHER INFORMATION CONTACT: Alima Patterson, RCRA Permits & Solid Waste Section (LCR–RP) Land, Chemical and Redevelopment Division, Environmental Protection Agency Region 6, 1201 Elm Street, Suite 500, Dallas, TX 75270, telephone number: (214) 665–8533; email address: *patterson.alima@epa.gov*.

SUPPLEMENTARY INFORMATION: On June 17, 2025 (90 FR 25502), the EPA published a final rule to grant a delisting petition submitted by WRB Refining in Borger, Texas to exclude (or ''delist'') 7,000 cubic yards of F037 (petroleum refinery sludge) solids to be removed from their stormwater storage tanks for a one-time delisting. After publication the Agency identified a typographical error in the amendatory instruction. Specifically, amendatory instruction 2. directed that the entry for ''WRB Refinery LP'' be added in alphabetical order to table 1 of appendix IX. However, the EPA intended amendatory instruction 2. to read ''Amend table 1 of appendix IX by adding the entry ''WRB Refining LP'' in alphabetical order to read as follows:'' This document corrects amendatory instruction 2. by directing that ''WRB Refining LP'' be added to table 1 of appendix IX as intended.

Lists of Subjects in 40 CFR Part 261

Environmental protection, Hazardous waste, Recycling, Reporting and recordkeeping requirements.

Eunice A. Varughese,

Director, Land, Chemicals and Redevelopment Division, U.S. EPA Region 6.

Accordingly, 40 CFR part 261 is corrected by making the following correcting amendment:

PART 261—IDENTIFICATION AND LISTING OF HAZARDOUS WASTE

■ 1. The authority citation for part 261 continues to read as follows:

Authority: 42 U.S.C. 6905, 6912(a), 6921, 6922, 6924(y) and 6938.

■ 2. Amend table 1 of appendix IX by adding the entry ''WRB Refining LP'' in alphabetical order to read as follows:

Appendix IX to Part 261—Wastes Excluded Under §§ 260.20 and 260.22

TABLE 1—WASTES EXCLUDED FROM NON-SPECIFIC SOURCES

Facility	Address	Waste description
*	*	* * * * *
WRB Refining LP	Borger, TX	Stormwater Solids (F037) generated at a maximum generation of 7,000 cubic yards. (1) *Delisting Levels:* All leachable constituent concentrations must not exceed the following levels. The petitioner must use the method specified in 40 CFR 261.24 to measure constituents in the waste leachate (mg/L). Stormwater Solids Leachate: Acenaphthene-219; Anthracene-534; Antimony-2.52; Arsenic-0.266; Barium-7.13; Benz(a) anthracene-10.5; Benzo(a)pyrene-3,960; Benzene-1.59; 2-Cadmium-2.23; Carbon disulfide-1,150; Chromium-1; Chrysene-1,050; Cobalt-5.56; Di-n-butyl-phthalate-507; Ethylbenzene-16.2; Fluoranthrene-50.7; Fluorene-101; Indeno(1,2,3-cd)pyrene-371000000000; Lead-14.7; Mercury-1.34; Naphthalene-1.95; Nickel-279; Pyrene-91.7; Selenium-18.10; Silver-179; Toluene-311; Vanadium-85.6; Xylenes, Total-177; Zinc-4,060. (2) *Waste Holding and Handling:* (A) All stormwater solids from tank clean outs must be tested to assure they have met the concentrations described in paragraph (1). Solids that do not meet the concentrations must be disposed of as hazardous waste. (B) Levels of constituents measured in the samples of the solids that do not exceed the levels set forth in paragraph (1) are non-hazardous. WRB Refining can manage and dispose the non-hazardous stormwater solids according to all applicable solid waste regulations. (C) WRB Refining must maintain a record of the actual volume of the stormwater solids to be disposed in the Subtitle D or on-site landfill according to the requirements in paragraph (4). (3) *Changes in Operating Conditions:* If WRB Refining significantly changes the process described in its petition or starts any processes that may or could affect the composition or type of waste generated as established under paragraph (1) (by illustration, but not limitation, changes in equipment or operating conditions of the treatment process), they must notify the EPA in writing; they may no longer handle the wastes generated from the new process as nonhazardous until the test results of the wastes meet the delisting levels set in paragraph (1) and they have received written approval to do so from the EPA. (3) *(4) Data Submittals:* WRB Refining must submit the information described below. If WRB Refining fails to submit the required data within the specified time or maintain the required records on-site for the specified time, the EPA, at its discretion, will consider this sufficient basis to reopen the exclusion as described in paragraph (5). WRB Refining must: (A) Submit the data obtained through paragraph (3) to the Chief, RCRA Permits & Solid Waste Section, Mail Code, (6LCR–RP) US EPA Region 6, 1201 Elm Street, Suite 500, Dallas, TX 75270 within the time specified. Data may be submitted via email to the technical contact for the delisting program. (B) Compile records of operating conditions and analytical data from paragraph (3), summarized, and maintained on-site for a minimum of five years. (C) Furnish these records and data when the EPA or the State of Texas request them for inspection. (D) Send, along with all data, a signed copy of the following certification statement, to attest to the truth and accuracy of the data submitted: ''Under civil and criminal penalty of law for the making or submission of false or fraudulent statements or representations (pursuant to the applicable provisions of the Federal Code, which include, but may not be limited to, 18 U.S.C. 1001 and 42 U.S.C. 6928), I certify that the information contained in or accompanying this document is true, accurate and complete. As to the (those) identified section(s) of this document for which I cannot personally verify its (their) truth and accuracy, I certify as the company official having supervisory responsibility for the persons who, acting under my direct instructions, made the verification that this information is true, accurate and complete. If any of this information is determined by the EPA in its sole discretion to be false, inaccurate or incomplete, and upon conveyance of this fact to the company, I recognize and agree that this exclusion of waste will be void as if it never had effect or to the extent directed by the EPA and that the company will be liable for any actions taken in contravention of the company's RCRA and CERCLA obligations premised upon the company's reliance on the void exclusion.'' (5) *Reopener:* (A) If, any time after disposal of the delisted waste, WRB Refining possesses or is otherwise made aware of any environmental data (including but not limited to leachate data or ground water monitoring data) or any other data relevant to the delisted waste indicating that any constituent identified for the delisting verification testing is at level higher than the delisting level allowed by the Division Director in granting the petition, then the facility must report the data, in writing, to the Division Director within 10 days of first possessing or being made aware of that data. (B) If the verification testing of the waste does not meet the delisting requirements in paragraph 1, WRB Refining must report the data, in writing, to the Division Director within 10 days of first possessing or being made aware of that data. (C) If WRB Refining fails to submit the information described in paragraphs (4), (5)(A) or (5)(B) or if any other information is received from any source, the Division Director will make a preliminary determination as to whether the reported information requires Agency action to protect human health or the environment. Further action may include suspending, or revoking the exclusion, or other appropriate response necessary to protect human health and the environment.

TABLE 1—WASTES EXCLUDED FROM NON-SPECIFIC SOURCES—Continued

Facility	Address	Waste description
		(D) If the Division Director determines that the reported information does require Agency action, the Division Director will notify the facility, in writing, of the actions the Division Director believes are necessary to protect human health and the environment. The notice shall include a statement of the proposed action and a statement providing the facility with an opportunity to present information as to why the proposed Agency action is not necessary. The facility shall have 10 days from the date of the Division Director's notice to present such information. (E) Following the receipt of information from the facility described in paragraph (5)(D) or (if no information is presented under paragraph (5)(D)) the initial receipt of information described in paragraphs (4), (5)(A) or (5)(B), the Division Director will issue a final written determination describing the Agency actions that are necessary to protect human health or the environment. Any required action described in the Division Director's determination shall become effective immediately, unless the Division Director provides otherwise. (5) *(6) Notification Requirements:* WRB Refining must do the following before transporting the delisted waste: Failure to provide this notification will result in a violation of the delisting petition and a possible revocation of the decision. (A) Provide a written notification to any State Regulatory Agency to which, or through which they will transport the delisted waste described above for disposal, 60 days before beginning such activities. If WRB Refining transports the excluded waste to or manages the waste in any State with delisting authorization, WRB Refining must obtain delisting authorization from that State before it can manage the waste as nonhazardous in the State. (B) Update the one-time written notification if they ship the delisted waste to a different disposal facility. (C) Failure to provide the notification will result in a violation of the delisting variance and a possible revocation of the exclusion.

[FR Doc. 2025–17524 Filed 9–10–25; 8:45 am]
BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 271

[EPA–R09–RCRA–2024–0298; FRL–12239–02–R9]

Authorization of State Hazardous Waste Management Program Revisions: California

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final action.

SUMMARY: The Environmental Protection Agency (EPA) is taking direct final action to authorize changes California has made to its hazardous waste program under the Resource Conservation and Recovery Act, as amended. The Agency has reviewed California's application for authorization of these changes and determined that the changes satisfy all requirements.

DATES: This authorization is effective on November 10, 2025 without further notice, unless the EPA receives adverse comment by October 14, 2025. If the EPA receives adverse comment, we will publish a timely withdrawal in the **Federal Register** informing the public that the authorization will not take effect.

ADDRESSES: All documents in the docket are listed in the *www.regulations.gov* index. Publicly available docket materials are available either electronically in *www.regulations.gov* or in hard copy. You may also view California's application at: California Environmental Protection Agency, Department of Toxic Substances Control, 1001 ''I'' Street, 11th floor, Sacramento, CA 95814, Attention: Carmela Torres, Phone (916) 322–7893, from 8 a.m. to noon and 1 p.m. to 5 p.m., Monday through Friday (appointment preferred but not required).

Instructions: Submit your comments to the Environmental Protection Agency (EPA), identified by Docket ID No. EPA–R09–RCRA–2024–0298, at *https://www.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). The *https://www.regulations.gov* website is an ''anonymous access'' system, which means EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send an email comment directly to EPA without going through *https://www.regulations.gov,* your email address will be automatically captured and included as part of the comment that is placed in the public docket and made available on the internet. If you submit an electronic comment, EPA recommends that you include your name and other contact information in the body of your comment. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment. Electronic files should avoid the use of special characters, any form of encryption, and be free of any defects or viruses.

FOR FURTHER INFORMATION CONTACT: Naimah Ali, EPA Region 9, 75 Hawthorne St, San Francisco, CA 94105. By phone: (619) 849–1319 or by email at *ali.naimah@epa.gov.*

SUPPLEMENTARY INFORMATION:

A. Why are revisions to state programs necessary?

States that have received final authorization from EPA under the Resource Conservation and Recovery Act (RCRA) section 3006(b), 42 United States Code (U.S.C.) section 6926(b), must maintain a hazardous waste program that is equivalent to, consistent with, and no less stringent than the federal program. As the federal program

changes, states must change their programs and ask EPA to authorize the changes. Changes to state programs may be necessary when federal or state statutory or regulatory authority is modified or when certain other changes occur. Most commonly, states must change their programs because of changes to EPA's regulations in 40 Code of Federal Regulations (CFR) parts 124, 260 through 268, 270, 273, and 279.

Many of the new federal requirements and prohibitions imposed by federal regulations that EPA promulgates pursuant to the Hazardous and Solid Waste Amendments of 1984 (HSWA) take effect in authorized states at the same time that they take effect in unauthorized states. Thus, EPA, where necessary, will implement those requirements and prohibitions in California, including the issuance of new permits implementing those requirements, until the state is granted authorization to do so.

B. What decisions has EPA made in this action?

On September 30, 2022, California submitted a program revision application to EPA seeking authorization of changes to its hazardous waste management program that correspond to the following EPA rules (and corresponding RCRA rule checklists):

—The Hazardous Waste Electronic Manifest Rules (Special Consolidated Checklist for the Hazardous Waste Electronic Manifest Rules [EM]);
—Change of Official EPA Mailing Address, (Checklist 193).
—The Uniform Hazardous Waste Manifest Rule (Checklist 207);
—The Rule Regarding Removal of Saccharin and Its Salts from the Lists of Hazardous Constituents, Hazardous Wastes, and Hazardous Substances, (Checklist 225);
—Land Disposal Treatment Standards for Carbamate Wastes, (Checklist 227).
—Imports and Exports of Hazardous Waste, (Checklist 236); and
—The Hazardous Waste Electronic Manifest User Fee Rule, (Checklist 239).

EPA concludes that California's application to revise its authorized program meets all statutory and regulatory requirements established by RCRA, as set forth in RCRA section 3006(b), 42 U.S.C. 6926(b), and 40 CFR part 271. Therefore, EPA proposes to grant California final authorization to operate its hazardous waste program with the changes described in the authorization application dated September 30, 2022, and as outlined below in Section F of this document.

California has responsibility for permitting treatment, storage, and disposal facilities within its borders (except in Indian country) and for carrying out the aspects of the RCRA program described in its revised program application, subject to the limitations of HSWA, as discussed above.

C. What is the effect of today's authorization decision?

If California is authorized for the changes described in the State's authorization application, these changes would become part of the authorized State hazardous waste program and would therefore be federally enforceable. California will continue to have primary enforcement authority and responsibility for its State hazardous waste program. EPA would retain its authorities under RCRA sections 3007, 3008, 3013, and 7003, including its authority to:

- Conduct inspections, and require monitoring, tests, analyses or reports;
- Enforce RCRA requirements, including authorized California program requirements, and suspend or revoke permits; and
- Take enforcement actions regardless of whether the State has taken its own actions.

This action does not impose additional requirements on the regulated community because the regulations for which California is being authorized by today's action are already effective and are not changed by today's action.

D. Why is EPA using a direct final action?

The EPA is publishing this action without a prior proposed action because we view this as a noncontroversial action and anticipate no adverse comment. This action is a routine program change. However, in the ''Proposed Rules'' section of this issue of the **Federal Register**, we are publishing a separate document that will serve as the proposed action allowing the public an opportunity to comment. We will not institute a second comment period on this action. Any parties interested in commenting must do so at this time. For further information about commenting on this action, see the **ADDRESSES** section of this document.

EPA will consider all comments received during the comment period and address them in a final action. You may not have another opportunity to comment. If you want to comment on this proposed authorization, you must do so at this time.

E. What has California previously been authorized for?

California initially received final RCRA authorization for the State's hazardous waste management program on July 23, 1992 (57 FR 32726), effective August 1, 1992. EPA granted final authorization for changes to California's program on the following dates: September 26, 2001 (66 FR 49118), October 7, 2011 (76 FR 62303), and January 14, 2020 (85 FR 2038), revised June 01, 2021 (86 FR 29207).

F. What changes is EPA authorizing with today's action?

EPA proposes to determine, subject to our consideration of any adverse written comments, that California's hazardous waste program revisions are equivalent to, consistent with and no less stringent than the federal program and therefore satisfy all the requirements necessary to qualify for final authorization.

1. EPA is proposing to authorize California's program changes as outlined in the following table:

STATE ANALOGUES TO THE FEDERAL PROGRAM

Federal regulatory citations, rules and checklists (CL)	**Federal Register** citations and dates (checklists [CL])	Analogous State authorities
Title 40, Code of Federal Regulations (40 CFR) 260.2(c)(1), Hazardous Waste Electronic Manifest Rules (Special Consolidated Checklist for the Hazardous Waste Electronic Manifest Rules [EM]).	79 FR 7518, Feb. 7, 2014, and 79 FR 7518, Jan. 3, 2018 (EM).	Title 22, California Code of Regulations (22 CCR) 66260.2(c)(1), amended July 14, 2022 (Register 2022, No. 28).

STATE ANALOGUES TO THE FEDERAL PROGRAM—Continued

Federal regulatory citations, rules and checklists (CL)	**Federal Register** citations and dates (checklists [CL])	Analogous State authorities
40 CFR 260.2(c)(2), (EM)	79 FR 7518, Feb. 7, 2014, and 79 FR 7518, Jan. 3, 2018 (EM).	22 CCR 66260.2(c)(2), amended July 14, 2022 (Register 2022, No. 28).
40 CFR 260.4–260.4(a)(4), (EM)	79 FR 7518, Feb. 7, 2014, and 79 FR 7518, Jan. 3, 2018 (EM).	California Health and Safety Code (HSC) Division 20, 25160(e)(1), enacted 2021, operative Jan. 1, 2022; 22 CCR 66264.71, CCR 66264.71(a)(1), 66265.71(a)(1), 66264.71(a)(2), 66264.71(a)(2)(A), 66265.71(a)(1), 66265.71(a)(2), 66265.71(a) (2)(A), 66264.71(l)(3), 66265.71(a)(2)(M)(3), and 66264.71(l)(4), amended Aug. 24, 2006 (Register 2006, No. 34), Aug. 20, 2018 (Register 2018, No. 34), and July 14, 2022 (Register 2022, No. 28).
40 CFR 260.5, (EM)	79 FR 7518, Feb. 7, 2014, and 79 FR 7518, Jan. 3, 2018 (EM).	HSC 25160(e)(1), enacted 2021, operative Jan. 1, 2022; HSC 25160.01(c)(1), enacted 2019, effective Jan. 1, 2020; 22 CCR 66260.10, 66264.72, and 66265.72, amended Aug. 24, 2006 (Register 2006, No. 34), Aug. 20, 2018 (Register 2018, No. 34), and July 14, 2022 (Register 2022, No. 28).
40 CFR 260.10, Uniform Hazardous Waste Manifest Rule (CL 207), Imports and Exports of Hazardous Waste (CL 236), (EM).	70 FR 10776, March 4, 2005, and 70 FR 35034, June 16, 2005 (CL 207); 81 FR 85696, Nov. 28, 2016, 82 FR 41015, Aug. 29, 2017, and 83 FR 38263, Aug. 6, 2018, (CL 236); 79 FR 7518, Feb. 7, 2014, and 79 FR 7518, Jan. 3, 2018 (EM).	HSC 25160(a), 25160(a)(1), 25160(a)(1)(A), 25160(a)(1)(B), 25160(a)(1)(C), 25160(a)(1)(C)(i), 25160(a)(1)(C)(ii), enacted 2021, operative Jan. 1, 2022; 22 CCR 66260.10, amended Aug. 24, 2006 (Register 2006, No. 34), Aug. 20, 2018 (Register 2018, No. 34), and July 14, 2022 (Register 2022, No. 28).
40 CFR 260.11(a)(11) (now 260.11(a) and (c)(3)), Change of Official EPA Mailing Address, (CL 193).	66 FR 34374, June 28, 2001 (CL 193)	22 CCR 66260.11(a)(34), amended Nov. 21, 2011 (Register 2011, No. 47).
40 CFR 260.11(g) (now 260.11(e)), (CL 236).	81 FR 85696, Nov. 28, 2016, 82 FR 41015, Aug. 29, 2017, and 83 FR 38263, Aug. 6, 2018 (CL 236).	22 CCR 66260.11(a)(69), amended Aug. 20, 2018 (Register 2018, No. 34).
40 CFR 260.11(g)(1) (now 260.11(e)(1)), (CL 236).	81 FR 85696, Nov. 28, 2016, 82 FR 41015, Aug. 29, 2017, and 83 FR 38263, Aug. 6, 2018 (CL 236).	22 CCR 66260.11 (a)(69)(A), amended Aug. 20, 2018 (Register 2018, No. 34).
40 CFR 261.4(d)(1), (CL 236)	81 FR 85696, Nov. 28, 2016, 82 FR 41015, Aug. 29, 2017, and 83 FR 38263, Aug. 6, 2018 (CL 236).	22 CCR 66261.4(d), amended Aug. 20, 2018 (Register 2018, No. 34).
40 CFR 261.4(d)(4), (CL 236)	81 FR 85696, Nov. 28, 2016, 82 FR 41015, Aug. 29, 2017, and 83 FR 38263, Aug. 6, 2018 (CL 236).	22 CCR 66261.4(e)(7), amended Aug. 20, 2018 (Register 2018, No. 34).
40 CFR 261.4(e)(1), (CL 236)	81 FR 85696, Nov. 28, 2016, 82 FR 41015, Aug. 29, 2017, and 83 FR 38263, Aug. 6, 2018 (CL 236).	22 CCR 66261.4(e)(1), amended Aug. 20, 2018 (Register 2018, No. 34).
40 CFR 261.4(e)(4), (CL 236)	81 FR 85696, Nov. 28, 2016, 82 FR 41015, Aug. 29, 2017, and 83 FR 38263, Aug. 6, 2018 (CL 236).	22 CCR 66261.4(d)(4), amended Aug. 20, 2018 (Register 2018, No. 34).
40 CFR 261.6(a)(5), (CL 236)	81 FR 85696, Nov. 28, 2016, 82 FR 41015, Aug. 29, 2017, and 83 FR 38263, Aug. 6, 2018 (CL 236).	22 CCR 66261.6(a)(7), amended Aug. 20, 2018 (Register 2018, No. 34).
40 CFR 261.7(b)(1)(iii), (CL 207)	70 FR 10776, March 4, 2005, and 70 FR 35034, June 16, 2005 (CL 207).	22 CCR 66261.7(p)(1)(B), amended Oct. 19, 2000; (Register 2000, No. 42).
40 CFR 261.33(f) and Appendix VIII to Part 261, Rule Regarding Removal of Saccharin and Its Salts from the Lists of Hazardous Constituents, Hazardous Wastes, and Hazardous Substances, (CL 225).	75 FR 78918, Dec. 17, 2010 (CL 225)	22 CCR 66261.33, Appendix VIII to 22 CCR Chapter 11, and 22 CCR 66268.40, Treatment Standards Table, amended February 8, 2012 (Register 2012, No. 6).
40 CFR 261.39(a)(5)(ii), (CL 236)	81 FR 85696, Nov. 28, 2016, 82 FR 41015, Aug. 29, 2017, and 83 FR 38263, Aug. 6, 2018 (CL 236).	22 CCR 66273.40(a)(1), amended Aug. 20, 2018 (Register 2018, No. 34).
40 CFR 261.39(a)(5)(v), (CL 236)	81 FR 85696, Nov. 28, 2016, 82 FR 41015, Aug. 29, 2017, and 83 FR 38263, Aug. 6, 2018 (CL 236).	22 CCR 66273.40 (a)(1), amended Aug. 20, 2018 (Register 2018, No. 34).
40 CFR 262.10(d), (CL 236)	81 FR 85696, Nov. 28, 2016, 82 FR 41015, Aug. 29, 2017, and 83 FR 38263, Aug. 6, 2018 (CL 236).	22 CCR 66262.10(d), amended Aug. 20, 2018 (Register 2018, No. 34).

STATE ANALOGUES TO THE FEDERAL PROGRAM—Continued

Federal regulatory citations, rules and checklists (CL)	**Federal Register** citations and dates (checklists [CL])	Analogous State authorities
40 CFR 262.12(d), (CL 236)	81 FR 85696, Nov. 28, 2016, 82 FR 41015, Aug. 29, 2017, and 83 FR 38263, Aug. 6, 2018 (CL 236).	22 CCR 66262.12 (d), amended Aug. 20, 2018 (Register 2018, No. 34).
40 CFR 262.20(a)(1), (CL 207), (EM).	70 FR 10776, March 4, 2005, and 70 FR 35034, June 16, 2005 (CL 207); 79 FR 7518, Feb. 7, 2014, and 79 FR 7518, Jan. 3, 2018 (EM).	22 CCR 66262.20(a), amended Aug. 24, 2006 (Register 2006, No. 34) and July 14, 2022 (Register 2022, No. 28).
40 CFR 262.20(a)(2), (CL 207), (EM).	70 FR 10776, March 4, 2005, and 70 FR 35034, June 16, 2005 (CL 207); 79 FR 7518, Feb. 7, 2014, and 79 FR 7518, Jan. 3, 2018 (EM).	22 CCR 66262.20(a)(1), amended Aug. 24, 2006 (Register 2006, No. 34) and July 14, 2022 (Register 2022, No. 28).
40 CFR 262.20(a)(3), (EM)	79 FR 7518, Feb. 7, 2014, and 79 FR 7518, Jan. 3, 2018 (EM).	22 CCR 66262.20(e), amended July 14, 2022 (Register 2022, No. 28).
40 CFR 262.21, (CL 207), (EM)	70 FR 10776, March 4, 2005, and 70 FR 35034, June 16, 2005 (CL 207); 79 FR 7518, Feb. 7, 2014, and 79 FR 7518, Jan. 3, 2018 (EM).	22 CCR 66262.21, amended Aug. 24, 2006 (Register 2006, No. 34) and July 14, 2022 (Register 2022, No. 28).
40 CFR 262.21(a)(1)–262.21(m)(2), (CL 207).	70 FR 10776, March 4, 2005, and 70 FR 35034, June 16, 2005 (CL 207).	22 CCR 66262.21(c), 66262.21(d), 66262.21(e)(1), 66262.21(e)(2), and 66262.21(e)(3), amended Aug. 24, 2006 (Register 2006, No. 34) and July 14, 2022 (Register 2022, No. 28).
40 CFR 262.24, (EM)	79 FR 7518, Feb. 7, 2014, and 79 FR 7518, Jan. 3, 2018 (EM).	HSC 25160.01(a), enacted 2019, effective Jan. 1, 2020; and 22 CCR 66262.24, amended July 14, 2022 (Register 2022, No. 28).
40 CFR 262.25, (EM)	79 FR 7518, Feb. 7, 2014, and 79 FR 7518, Jan. 3, 2018 (EM).	22 CCR 66262.25(a), amended July 14, 2022 (Register 2022, No. 28).
40 CFR 262.27, (CL 207)	70 FR 10776, March 4, 2005, and 70 FR 35034, June 16, 2005 (CL 207).	22 CCR 66262.27, amended Aug. 24, 2006 (Register 2006, No. 34).
40 CFR 262.32(b), (CL 207)	70 FR 10776, March 4, 2005, and 70 FR 35034, June 16, 2005 (CL 207).	22 CCR 66262.32(b)(1), amended Aug. 24, 2006 (Register 2006, No. 34).
Par40 CFR 262.33, (CL 207)	70 FR 10776, March 4, 2005, and 70 FR 35034, June 16, 2005 (CL 207).	22 CCR 66262.33, amended Aug. 24, 2006 (Register 2006, No. 34).
40 CFR 262.34(m), (CL 207)	70 FR 10776, March 4, 2005, and 70 FR 35034, June 16, 2005 (CL 207).	22 CCR 66262.34(g), amended Aug. 24, 2006 (Register 2006, No. 34).
40 CFR 262.41(b), (CL 236)	81 FR 85696, Nov. 28, 2016, 82 FR 41015, Aug. 29, 2017, and 83 FR 38263, Aug. 6, 2018 (CL 236).	22 CCR 66262.41(c), amended Aug. 20, 2018 (Register 2018, No. 34).
40 CFR 262.80–262.89, (CL 236) ..	81 FR 85696, Nov. 28, 2016, 82 FR 41015, Aug. 29, 2017, and 83 FR 38263, Aug. 6, 2018 (CL 236).	22 CCR 66262.81–66262.89, amended Aug. 20, 2018 (Register 2018, No. 34).
40 CFR Part 262/Appendix, Hazardous Waste Electronic Manifest User Fee Rule (CL 239), (EM).	[Removed 83 FR 420, Jan. 3, 2018 (CL 239/EM)] ...	22 CCR 66262 Appendix, repealed July 14, 2022 (Register 2022, No. 28).
40 CFR 263.10(a) [Note], (CL 236)	81 FR 85696, Nov. 28, 2016, 82 FR 41015, Aug. 29, 2017, and 83 FR 38263, Aug. 6, 2018 (CL 236).	22 CCR 66263.10, amended Aug. 20, 2018 (Register 2018, No. 34).
40 CFR 263.10(d), (CL 236)	81 FR 85696, Nov. 28, 2016, 82 FR 41015, Aug. 29, 2017, and 83 FR 38263, Aug. 6, 2018 (CL 236).	22 CCR 66263.10(d), amended Aug. 20, 2018 (Register 2018, No. 34).
40 CFR 263.20(a)(1)–(9), (CL 207), (CL 236), (EM).	70 FR 10776, March 4, 2005, and 70 FR 35034, June 16, 2005 (CL 207); 81 FR 85696, Nov. 28, 2016, 82 FR 41015, Aug. 29, 2017, and 83 FR 38263, Aug. 6, 2018, (CL 236); 79 FR 7518, Feb. 7, 2014, and 79 FR 7518, Jan. 3, 2018 (EM).	HSC 25160(d)(1)—(3), enacted 2021, operative Jan. 1, 2022; HSC 25160.01(a), enacted 2019, effective Jan. 1, 2020; and 22 CCR 66263.20(a)(1)—(9), amended Aug. 24, 2006 (Register 2006, No. 34), Aug. 20, 2018 (Register 2018, No. 34), and July 14, 2022 (Register 2022, No. 28).
40 CFR 263.20(c), (CL 236)	81 FR 85696, Nov. 28, 2016, 82 FR 41015, Aug. 29, 2017, and 83 FR 38263, Aug. 6, 2018 (CL 236).	22 CCR 66263.20(c), amended Aug. 20, 2018 (Register 2018, No. 34).
40 CFR 263.20(e)(2), (CL 236)	81 FR 85696, Nov. 28, 2016, 82 FR 41015, Aug. 29, 2017, and 83 FR 38263, Aug. 6, 2018 (CL 236).	22 CCR 66263.20(h)(2), amended Aug. 20, 2018 (Register 2018, No. 34).
40 CFR 263.20(f)(2), (CL 236)	81 FR 85696, Nov. 28, 2016, 82 FR 41015, Aug. 29, 2017, and 83 FR 38263, Aug. 6, 2018 (CL 236).	22 CCR 66263.20(i)(2), amended Aug. 20, 2018 (Register 2018, No. 34).
40 CFR 263.20(g), (CL 207)	70 FR 10776, March 4, 2005, and 70 FR 35034, June 16, 2005 (CL 207).	22 CCR 66263.20(j), amended Aug. 24, 2006 (Register 2006, No. 34).
40 CFR 263.21, (CL 207), (EM)	70 FR 10776, March 4, 2005, and 70 FR 35034, June 16, 2005 (CL 207); 79 FR 7518, Feb. 7, 2014, and 79 FR 7518, Jan. 3, 2018 (EM).	22 CCR 66263.21(a)—(c)(2), amended Aug. 24, 2006 (Register 2006, No. 34) and July 14, 2022 (Register 2022, No. 28).
40 CFR 263.25, (EM)	79 FR 7518, Feb. 7, 2014, and 79 FR 7518, Jan. 3, 2018 (EM).	22 CCR 66263.25, amended July 14, 2022 (Register 2022, No. 28).

STATE ANALOGUES TO THE FEDERAL PROGRAM—Continued

Federal regulatory citations, rules and checklists (CL)	**Federal Register** citations and dates (checklists [CL])	Analogous State authorities
40 CFR 264.12(a) and 265.12(a), (CL 236).	81 FR 85696, Nov. 28, 2016, 82 FR 41015, Aug. 29, 2017, and 83 FR 38263, Aug. 6, 2018 (CL 236).	22 CCR 66264.12(a) and 66265.12(a), amended Aug. 24, 2006 (Register 2006, No. 34) and Aug. 20, 2018 (Register 2018, No. 34).
40 CFR 264.70 and 265.70, (CL 207).	70 FR 10776, March 4, 2005, and 70 FR 35034, June 16, 2005 (CL 207).	22 CCR 66264.70 and 66265.70, amended Aug. 24, 2006 (Register 2006, No. 34).
40 CFR 264.71(a) and 265.71(a), (CL 207), (CL 236), (EM).	70 FR 10776, March 4, 2005, and 70 FR 35034, June 16, 2005 (CL 207); 81 FR 85696, Nov. 28, 2016, 82 FR 41015, Aug. 29, 2017, and 83 FR 38263, Aug. 6, 2018, (CL 236); 79 FR 7518, Feb. 7, 2014, and 79 FR 7518, Jan. 3, 2018 (EM).	22 CCR 66264.71(a) and 66265.71(a), amended Aug. 24, 2006 (Register 2006, No. 34), Aug. 20, 2018 (Register 2018, No. 34), and July 14, 2022 (Register 2022, No. 28).
40 CFR 264.71(b)(4) and 265.71(b)(4), (CL 207).	70 FR 10776, March 4, 2005, and 70 FR 35034, June 16, 2005 (CL 207).	22 CCR 66264.71(b)(4)and 66265.71(b)(4), amended Aug. 24, 2006 (Register 2006, No. 34).
40 CFR 264.71(d) and 265.71(d), (CL 236).	81 FR 85696, Nov. 28, 2016, 82 FR 41015, Aug. 29, 2017, and 83 FR 38263, Aug. 6, 2018 (CL 236).	22 CCR 66264.71(d) and 66265.71(d), amended Aug. 20, 2018 (Register 2018, No. 34).
40 CFR 264.71(e) and 265.71(e), (CL 207).	70 FR 10776, March 4, 2005, and 70 FR 35034, June 16, 2005 (CL 207).	22 CCR 66264.71(a)(2)(G) and 66265.71(a)(2)(G), amended Aug. 24, 2006 (Register 2006, No. 34).
40 CFR 264.71(f)–(l)(5) and 265.71(f)–(l)(5), (EM).	79 FR 7518, Feb. 7, 2014, and 79 FR 7518, Jan. 3, 2018 (EM).	HSC 25160.01(a), (c)(1), (c)(2), enacted 2019, effective Jan. 1, 2020; 22 CCR 66264.71(h)–(n)(5) and 66265.71(a)(2)(I)–(O)(5), amended July 14, 2022 (Register 2022, No. 28).
40 CFR 264.72(a)–(g) and 265.72(a)–(g), (CL 207).	70 FR 10776, March 4, 2005, and 70 FR 35034, June 16, 2005 (CL 207).	22 CCR 66264.72(a)–(g) and 66265.72(a)–(g), amended Aug. 24, 2006 (Register 2006, No. 34).
40 CFR 264.76 and 265.76, (CL 207).	70 FR 10776, March 4, 2005, and 70 FR 35034, June 16, 2005 (CL 207).	22 CCR 66264.76 and 66265.76, amended Aug. 24, 2006 (Register 2006, No. 34).
40 CFR 264.1086(c)(4)(i) and 265.1087(c)(4)(i), (EM).	79 FR 7518, Feb. 7, 2014, and 79 FR 7518, Jan. 3, 2018 (EM).	22 CCR 66264.1086(c)(4)(A) and 66265.1087(c)(4)(A), amended July 14, 2022 (Register 2022, No. 28).
40 CFR 264.1086(d)(4)(i) and 265.1087(d)(4)(i), (EM).	79 FR 7518, Feb. 7, 2014, and 79 FR 7518, Jan. 3, 2018 (EM).	22 CCR 66264.1086(d)(4)(A) and 66265.1087(d)(4)(A), amended July 14, 2022 (Register 2022, No. 28).
40 CFR Part 264, Subpart FF (40 CFR 264.1300–1316) and Part 265, Subpart FF (40 CFR 265.1300–1316), (EM).	79 FR 7518, Feb. 7, 2014, and 79 FR 7518, Jan. 3, 2018 (EM).	HSC 25160.01(c)(1)—(2), enacted 2019, effective Jan. 1, 2020; 22 CCR 66264.71(l) and 66265.71(a)(2)(M)(1)–(2), amended July 14, 2022 (Register 2022, No. 28).
40 CFR 267.71(a)(4), (5) and (6), (CL 236).	81 FR 85696, Nov. 28, 2016, 82 FR 41015, Aug. 29, 2017, and 83 FR 38263, Aug. 6, 2018 (CL 236).	22 CCR 66264.71(a)(2)(D), (E), and (a)(3)(B), amended Aug. 20, 2018 (Register 2018, No. 34).
40 CFR 267.71(d), (CL 236)	81 FR 85696, Nov. 28, 2016, 82 FR 41015, Aug. 29, 2017, and 83 FR 38263, Aug. 6, 2018 (CL 236).	22 CCR 66264.71(d), amended Aug. 20, 2018 (Register 2018, No. 34).
40 CFR 268.40, Land Disposal Treatment Standards for Carbamate Wastes, (CL 227).	76 FR 34147, June 13, 2011 (CL 227)	22 CCR 66268.40, amending Table, ''Treatment Standards for Hazardous Wastes,'' listings K156, et seq., P127, et seq. and U271, et seq., July 12, 2012 (Register 2012, No. 28).
40 CFR 268.48, (CL 227)	76 FR 34147, June 13, 2011 (CL 227)	22 CCR 66268.48, amending Table, ''Universal Treatment Standards,'' July 12, 2012 (Register 2012, No. 28).
40 CFR 273.2, (CL 236)	81 FR 85696, Nov. 28, 2016, 82 FR 41015, Aug. 29, 2017, and 83 FR 38263, Aug. 6, 2018 (CL 236).	22 CCR 66273.40(a)(1), amended Aug. 20, 2018 (Register 2018, No. 34).
40 CFR 273.39(a) and (b), (CL 236).	81 FR 85696, Nov. 28, 2016, 82 FR 41015, Aug. 29, 2017, and 83 FR 38263, Aug. 6, 2018 (CL 236).	22 CCR 66273.39(a) and (c), amended Aug. 20, 2018 (Register 2018, No. 34).
40 CFR 273.40, (CL 236)	81 FR 85696, Nov. 28, 2016 (CL 236)	22 CCR 66273.40(a)(1), amended Aug. 20, 2018 (Register 2018, No. 34).
40 CFR 273.56, (CL 236)	81 FR 85696, Nov. 28, 2016 (CL 236)	22 CCR 66273.56, amended Aug. 20, 2018 (Register 2018, No. 34).
40 CFR 273.62(a), (CL 236)	81 FR 85696, Nov. 28, 2016 (CL 236)	22 CCR 66273.62(a), amended Aug. 20, 2018 (Register 2018, No. 34).
40 CFR 273.70, (CL 236)	81 FR 85696, Nov. 28, 2016 (CL 236)	22 CCR 66273.41, amended Aug. 20, 2018 (Register 2018, No. 34).

2. There are several Federal rules that have been vacated, withdrawn, or superseded. As a result, authorization of these actions may be moot. However, for purposes of completeness, these action checklists are included here with an explanation as to the action's status in California. California never adopted the RCRA comparable fuel exclusion contained in Checklist 221: Expansion of RCRA Comparable Fuel Exclusion (73 FR 77954, December 19, 2008). As a

result, adopting Checklist 224: Withdrawal of the Emission Comparable Fuel Exclusion (75 FR 33712, June 15, 2010) would be unnecessary.

G. Where are the revised state actions different from the federal rules?

EPA considers the following California requirement to be broader in scope than the Federal program, and, to the extent it is broader in scope than the Federal program, it is not proposed for authorization:

- Title 22, California Code of Regulations Section 66262.83(h)(1) (compare to 40 CFR 262.83(h)(1))—California requires the exporter to file an exception report with EPA and DTSC for RCRA hazardous waste, or with DTSC for non-RCRA hazardous waste. Thus, the State's program is broader in scope than the federal program to the extent it imposes exception reporting obligations on exporters of non-RCRA hazardous waste.

H. Who handles permits after the authorization takes effect?

California will continue to issue permits for all the provisions for which it is authorized and will administer the permits it issues. Section 3006(g)(1) of RCRA, 42 U.S.C. 6926(g)(1), gives EPA the authority to issue or deny permits or parts of permits for requirements for certain HSWA requirements for which the State is not authorized. Therefore, whenever EPA adopts standards under HSWA for activities or wastes not currently covered by the authorized program, EPA may process RCRA permits in California for the new or revised HSWA standards until California has received final authorization for such new or revised HSWA standards.

I. How does today's action affect Indian country in California?

California is not authorized to carry out its hazardous waste program in ''Indian country'' (as that term is defined at 18 U.S.C. 1151) within the State. Therefore, this action has no effect on Indian country. EPA retains jurisdiction over Indian country and will continue to implement and administer the RCRA program on these lands.

J. What is codification and is EPA codifying California's hazardous waste program as authorized in this action?

Codification—also known as ''incorporation by reference''—is the process of placing citations and references to a state's statutes and regulations that comprise the state's authorized hazardous waste program into the Code of Federal Regulations. The EPA does this by adding those citations and references to the authorized state actions in 40 CFR part 272. The EPA is not codifying the authorization of California's revisions at this time. However, the EPA reserves the ability to amend 40 CFR part 272, subpart F, for the authorization of California's program, including these changes, when such authorization is finalized, at a later date.

K. Statutory and Executive Order Reviews

The Office of Management and Budget (OMB) has exempted this action from the requirements of Executive Order 12866 (58 FR 51735, Oct. 4, 1993) and 13563 (76 FR 3821, January 21, 2011). This action authorizes state requirements for the purpose of RCRA section 3006 and imposes no additional requirements beyond those imposed by state law. Therefore, this action is not subject to review by OMB. I certify that this action will not have a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). Because this action authorizes pre-existing requirements under state law and does not impose any additional enforceable duty beyond that required by state law, it does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531–1538). For the same reason and for the reasons set forth above in section I., this action also does not significantly or uniquely affect the communities of tribal governments, as specified by Executive Order 13175 (65 FR 67249, Nov. 9, 2000). This action will not have substantial direct effects on the states, on the relationship between the National Government and the states, or on the distribution of power and responsibilities among the various levels of government, as specified in Executive Order 13132 (64 FR 43255, Aug. 10, 1999), because it merely authorizes state requirements as part of a state RCRA hazardous waste program without altering the relationship or the distribution of power and responsibilities established by RCRA. This action also is not subject to Executive Order 13045 (62 FR 19885, Apr. 23, 1997) because it is not economically significant, and it does not make decisions based on environmental health or safety risks. This action is not subject to Executive Order 13211, ''Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use'' (66 FR 28355, May 22, 2001), because it is not a significant regulatory action under Executive Order 12866. This action is not subject to Executive Order 14192 (90 FR 9065, February 6, 2025) because state hazardous waste program authorization revisions under Subtitle C of RCRA actions are exempt from review under Executive Order 12866.

Under RCRA section 3006(b), the EPA grants a state's application for authorization as long as the state meets the criteria required by RCRA. It would thus be inconsistent with applicable law for the EPA, when it reviews a state authorization application, to require the use of any particular voluntary consensus standard (VCS) in place of another standard that otherwise satisfies the requirements of RCRA. Thus, the requirements of section 12(d) of the National Technology Transfer and Advancement Act of 1995 (NTTAA) do not apply. See 15 U.S.C. 272 note, sec. 12(d)(3), Public Law 104–113, 110 Stat. 783 (Mar. 7, 1996) (exempting compliance with the NTTAA's requirement to use VCS if compliance is ''inconsistent with applicable law'').

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 document 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 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).

Authority: This action is issued under the authority of sections 2002(a), 3006, and 7004(b) of the Solid Waste Disposal Act as amended, 42 U.S.C. 6912(a), 6926, and 6974(b).

List of Subjects in 40 CFR Part 271

Environmental protection, Administrative practice and procedure, Confidential business information, Hazardous waste, Hazardous waste transportation, Intergovernmental relations, Penalties, Reporting and recordkeeping requirements.

Dated: September 3, 2025.

Michael Martucci,

Acting Regional Administrator, Region 9.

[FR Doc. 2025–17541 Filed 9–10–25; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 282

[EPA–R05–UST–2023–0631; FRL 12762–02–R5]

Minnesota: Final Approval of State Underground Storage Tank Program Revisions, Codification, and Incorporation by Reference

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule.

SUMMARY: Pursuant to the Solid Waste Disposal Act of 1965, as amended (commonly known as the Resource Conservation and Recovery Act (RCRA)), the Environmental Protection Agency (EPA) is taking direct final action to approve revisions to the State of Minnesota's Underground Storage Tank (UST) program submitted by the Minnesota Pollution Control Agency. This action also codifies EPA's approval of Minnesota's state program and incorporates by reference those provisions of Minnesota's statutes and regulations that EPA has determined meet the requirements for approval. The provisions will be subject to EPA's inspection and enforcement authorities under RCRA Subtitle I and other applicable statutory and regulatory provisions.

DATES: This rule is effective November 10, 2025, unless EPA receives adverse comment by October 14, 2025. If EPA receives significant adverse comments, EPA will publish a timely withdrawal in the **Federal Register** informing the public that the rule will not take effect. The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register, as of November 10, 2025, in accordance with 5 U.S.C. 552(a) and 1 CFR part 51.

ADDRESSES: Submit your comments by one of the following methods:

1. *Federal eRulemaking Portal: https://www.regulations.gov.* Follow the on-line instructions for submitting comments.

2. *Email: restaino.mark@epa.gov.*

Instructions: Direct your comments to Docket ID No. EPA–R05–UST–2023–0631. EPA's policy is that all comments received will be included in the public docket without change and may be available online at *https://www.regulations.gov,* including any personal information provided, unless the comment includes information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Do not submit information that you consider to be CBI or otherwise protected through *https://www.regulations.gov* or by email. The Federal *https://www.regulations.gov* website is an ''anonymous access'' system, which means EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send an email comment directly to EPA without going through *https://www.regulations.gov,* your email address will be automatically captured and included as part of the comment that is placed in the public docket and made available on the internet. If you submit an electronic comment, EPA recommends that you include your name and other contact information in the body of your comment. If EPA cannot read your comment due to technical difficulties, and cannot contact you for clarification, EPA may not be able to consider your comment. Electronic files should avoid the use of special characters, any form of encryption, and be free of any defects or viruses. EPA encourages electronic submittals, but if you are unable to submit electronically, please reach out to EPA contact person listed in the document for assistance.

Docket: All documents in the docket are listed in the *https://www.regulations.gov* index. Although listed in the index, some information might not be publicly available, for example, CBI or other information whose disclosure is restricted by statute. Publicly available docket materials are available electronically through *www.regulations.gov.*

FOR FURTHER INFORMATION CONTACT: Mark Restaino, Remediation Branch, Land, Chemical, and Redevelopment Division, U.S. Environmental Protection Agency, Region 5, 77 W Jackson Boulevard, Chicago, Illinois 60604; (312) 886–0394; *restaino.mark@epa.gov.* Emily Lane, Office of Regional Counsel, U.S. Environmental Protection Agency, Region 5, 77 W Jackson Boulevard, Chicago, Illinois 60604; (312) 353–6344; *lane.emily@epa.gov.*

SUPPLEMENTARY INFORMATION:

I. Approval of Revisions to Minnesota's Underground Storage Tank Program

A. Why are revisions to state programs necessary?

Section 9004 of RCRA authorizes EPA to approve state underground storage tank (UST) programs to operate in lieu of the Federal UST program. EPA may approve a state program if the state demonstrates, pursuant to section 9004(a), 42 U.S.C. 6991c(a), that the state program includes the elements set forth at section 9004(a)(1) through (9), 42 U.S.C. 6991c(a)(1) through (9), and provides for adequate enforcement of compliance with UST standards (section 9004(a), 42 U.S.C. 6991c(a)). Additionally, EPA must find, pursuant to section 9004(b), 42 U.S.C. 6991c(b), that the state program is ''no less stringent'' than the Federal program in the elements set forth at section 9004(a)(1) through (7), 42 U.S.C. 6991c(a)(1) through (7). States such as Minnesota that have received final UST program approval from EPA under section 9004 of RCRA must, to retain such approval, revise their approved programs when the controlling Federal or State statutory or regulatory authority is changed, and EPA determines a revision is required. In 2015, EPA revised the Federal UST regulations and determined that states must revise their UST programs accordingly.

B. What decisions has EPA made in this rule?

On August 22, 2023, in accordance with 40 CFR 281.51, Minnesota submitted a complete program revision application seeking EPA approval for its UST program revisions (State Application) (which was inclusive of the Minnesota Attorney General's letter to the Regional Administrator dated April 17, 2023, and received by EPA on April 25, 2023). Minnesota's revisions correspond to EPA's final rule published on July 15, 2015 (80 FR 41566), which revised the 1988 UST regulations and the 1988 State Program Approval (SPA) regulations. As required by 40 CFR 281.20, the State Application contains the following: a transmittal letter requesting approval; a description of the program and operating procedures; a demonstration of the State's procedures to ensure adequate enforcement; a Memorandum of Agreement outlining the roles and responsibilities of EPA and the implementing agency; a statement of certification from the Attorney General; and copies of all relevant State statutes and regulations. EPA has reviewed the State Application and determined that the revisions to Minnesota's UST

program are no less stringent than the corresponding Federal requirements in subpart C of 40 CFR part 281, and that the Minnesota program provides for adequate enforcement of compliance (40 CFR 281.11(b)). Therefore, EPA grants Minnesota final approval to operate its UST program with the changes described in the State Application and as outlined below in section I.G. of this preamble.

C. What is the effect of this approval decision?

This action does not impose additional requirements on the regulated community because the regulations being approved by this rule are already effective in Minnesota and they are not changed by this action. This action merely approves the existing State regulations as meeting the Federal requirements and renders them federally enforceable.

D. Why is EPA using a direct final rule?

EPA is publishing this direct final rule concurrently with a proposed rulemaking because EPA views this as a noncontroversial action and anticipates no significant negative comment. EPA is providing an opportunity for public comment now.

E. What happens if EPA receives comments that oppose this action?

Along with this direct final rule, EPA is publishing a separate document in the ''Proposed Rules'' section of this issue of the **Federal Register** that serves as the proposal to approve the State's UST program revisions, providing opportunity for public comment. If EPA receives comments that oppose this approval, EPA will withdraw the direct final rule by publishing a document in the **Federal Register** before the rule becomes effective. EPA will not make any further decision on the approval of the State program changes until it considers any significant negative comment received during the comment period. EPA will address any significant negative comment in a later final rule. You may not have another opportunity to comment. If you want to comment on this approval, you must do so at this time.

F. For what has Minnesota previously been approved?

On November 30, 2001 (66 FR 59713), EPA finalized a rule approving Minnesota's UST program, effective December 31, 2001, to operate in lieu of the Federal program. In the rule (66 FR 59713) EPA codified the approved Minnesota program, incorporating by reference the State statutes and regulatory provisions that are subject to EPA's inspection and enforcement authorities under RCRA sections 9005 and 9006, 42 U.S.C. 6991d and 6991e, and other applicable statutory and regulatory provisions.

G. What are the changes EPA is approving with this action?

On August 22, 2023, in accordance with 40 CFR 281.51, Minnesota submitted a complete application for final approval of its UST program revisions, including Minnesota Rule Chapter 7150, effective June 6, 2019. EPA has reviewed Minnesota's UST program requirements and determined that such requirements are no less stringent than the Federal regulations and that the criteria set forth in 40 CFR part 281 subpart C are met. As part of the State Application, the Attorney General for Minnesota certified that the laws and regulations of Minnesota provide adequate authority to carry out a program that is no less stringent than the Federal requirements in 40 CFR part 281. EPA is relying on this certification in addition to the analysis submitted by Minnesota in making its determination. EPA now makes an immediate final decision, subject to receipt of any significant negative written comments that oppose this action, that Minnesota's UST program revisions satisfy all the requirements necessary to qualify for final approval. Therefore, EPA grants Minnesota final approval for the following program changes:

Required Federal element	Implementing State authority
40 CFR 281.30, New UST Systems and Notification	Minnesota Rules: Minn. R. Chapter 7150. Minn. R. 7150.0030, subp. 1, 2(B), 5, 6, 51. Minn. R. 7150.0090. Minn. R. 7150.0205, subp. 1–5, 7. Minn. R. 7150.0250, subp. 2, 3. Minn. R. 7150.0451. Minnesota Statutes: Minn. Stat. Chapter 115C. Minn. Stat. Chapter 115E. Minn. Stat. § 116.46–116.49. Minn. Stat. § 299F.011. Minn. Stat. § 299F.19.
40 CFR 281.31, Upgrading Existing UST Systems	Minnesota Rules: Minn. R. 7150.0205, subp. 1(A), 3(A), 5. Minn. R. 7150.0451. Minn. R. 7150.0500. Minnesota Statutes: Minn. Stat. Chapter 115C. Minn. Stat. Chapter 115E. Minn. Stat. § 116.46–116.49. Minn. Stat. § 299F.011. Minn. Stat. § 299F.19.
40 CFR 281.32, General Operating Requirements	Minnesota Rules: Minn. R. 7150.0100, subp. 9, 11(A). Minn. R. 7150.0215, subp. 1, 5. Minn. R. 7150.0216, subp. 1, 2, 4, 5. Minn. R. 7150.0250, subp. 2, 3. Minn. R. 7150.0450. Minnesota Statutes: Minn. Stat. § 116.49, subd. 2.

Required Federal element	Implementing State authority
40 CFR 281.33, Release Detection	Minnesota Rules: Minn. R. 7150.0030, subp. 44c. Minn. R. 7150.0100, subp. 9. Minn. R. 7150.0205, subp. 1(C), 3(C). Minn. R. 7150.0216, subp. 2, 3. Minn. R. 7150.0300. Minn. R. 6150.0330. Minn. R. 7150.0340. Minn. R. 7150.0451. Minnesota Statutes: Minn. Stat. § 116.49.
40 CFR 281.34, Release Reporting, Investigation, and Confirmation	Minnesota Rules: Minn. R. 7150.0345, subp. 1–3. Minnesota Statutes: Minn. Stat. § 115.061. Minn. Stat. § 115.071, subd. 5. Minn. Stat. § 115B.17, subd. 2, 14. Minn. Stat. § 115E.02. Minn. Stat. § 115E.03.
40 CFR 281.35, Release Response and Corrective Action	Minnesota Rules: Minn. R. 7045.0275. Minn. R. 7060.0500. Minn. R. 7060.0600, subp. 3, 4. Minn. R. 7060.0800. Minn. R. 7150.0345. Minn. R. 7150.0450. Minnesota Statutes: Minn. Stat. § 13.7411. Minn. Stat. § 115.061. Minn. Stat. § 115.071, subd. 3, 5. Minn. Stat. § 115B.17, subd. 1, 2, 2b, 12–14. Minn. Stat. § 115C.02, subd. 1–4. Minn. Stat. § 115C.03, subd. 1–3, 5–7, 9, 10. Minn. Stat. § 115C.05. Minn. Stat. Chapter 115E. Minn. Stat. § 116.072.
40 CFR 281.36, Out-of-Service Systems and Closure	Minnesota Rules: Minn. R. 7150.0250, subp. 4. Minn. R. 7150.0345, subp. 3. Minn. R. 7150.0400, subp. 2–4. Minn. R. 7150.0410, subp. 2–7. Minn. R. 7150.0430. Minnesota Statutes: Minn. Stat. § 115C.065. Minn. Stat. § 116.48, subd. 2, 8.
40 CFR 281.37, Financial Responsibility for USTs Containing Petroleum	Minnesota Rules: Minn. R. 7150.0090, subp. 3(B). Minnesota Statutes: Minn. Stat. § 115C.03. Minn. Stat. § 115C.04, subd. 3. Minn. Stat. § 115C.09, subd. 3a.
40 CFR 281.38, Lender Liability	Minnesota Statutes: Minn. Stat. Chapter 115C.
40 CFR 281.39, Operator Training	Minnesota Rules: Minn. R. 7150.0445.
49 CFR 281.40, Legal Authorities for Compliance Monitoring	Minnesota Statutes: Minn. Stat. § 115C.03, subd. 6, 7. Minn. Stat. § 115B.17, subd. 2–4. Minn. Stat. § 115B.071, subd. 1, 5. Minn. Stat. § 116.091, subd. 3.
40 CFR 281.41, Legal Authorities for Enforcement Response	Minnesota Statutes: Minn. Stat. § 115.071, subd. 1–4, 7 Minn. Stat. § 116.072, subd. 1–6 Minn. Stat. § 115C.03, subd. 4 Minn. Stat. § 115C.05

The State also demonstrates that its program provides adequate enforcement of compliance as described in 40 CFR 281.11(b) and part 281, subpart D. The Minnesota Pollution Control Agency has broad statutory and regulatory authority with respect to USTs to regulate installation, operation, maintenance, closure, and UST releases, and with respect to the issuance of orders. These statutory authorities are found in Minnesota Statutes Chapter 116, Pollution Control Agency, and Chapter 115.07, Enforcement.

H. Where are the revised rules different from the Federal rules?

Broader in Scope Provisions

Where an approved state program has a greater scope of coverage than required by Federal law, the additional coverage is not part of the federally-approved program and is not federally enforceable (40 CFR 281.12(a)(3)(ii)). The following statutory and regulatory provisions are considered ''broader in scope'' than the Federal program:

Minnesota Rules

Minn. R. 7150.0010, Applicability, subp. 2(H), in part as to ''of 1,100 gallons or less capacity.''

Minn. R. 7150.0010, Applicability, subp. 5.

Minn. R. 7150.0030, Definitions, subp. 1, in part as to ''Terms that are not specifically defined have the meanings given in Minnesota Statutes, sections 115.01, 115C.02, and 116.46.''

Minn. R. 7150.0030, Definitions, subp. 50a, in part as to ''or other potentially harmful substance.''

Minn. R. 7150.0030, Definitions, subp. 51(A)(1), in part as to ''or other potentially harmful substance.''

Minn. R. 7150.0090, Notification and Certification, subp. 2–4, in part as to ''dispensers.''

Minn. R. 7150.0090, Notification and Certification, subp. 9.

Minn. R. 7150.0216, Operating, Maintaining, and Testing UST Systems, subp. 1(B).

Minn. R. 7060.0600, Standards, subp. 1, 2, and 5–8.

Minnesota Statutes

Minn. Stat. § 115C.02, Definitions, subd. 10 and 10a.

Minn. Stat. § 116.46, Definitions, subd. 1a, 7a, 7b, and 10.

Minn. Stat. § 116.47(2), Exemptions, in part as to ''of 1,100 gallons or less capacity.''

Minn. Stat. § 116.47(10), Exemptions.

Minn. Stat. § 116.48, Notification Requirements, subd. 1(b), 4.

Minn. Stat. § 116.48, Notification Requirements, subd. 2, 3, 5, and 6, in part as they apply to aboveground storage tanks.

Minn. Stat. § 116.49, Environmental Protection Requirements, subd. 3 and 4.

More Stringent Provisions

The following regulatory requirements are considered more stringent than the Federal program, and on approval, they become part of the federally approved program and are federally enforceable pursuant to 40 CFR 281.12(a)(3)(i):

Minnesota Rules

Minn. R. 7150.0030, Definitions, subp. 2a, because it defines ''agency-approved tester[s]'' which are not a part of the Federal program.

Minn. R. 7150.0030, Definitions, subp. 6, because it defines ''cathodic-protection tester[s]'' which are not a part of the Federal program.

Minn. R. 7150.0090, Notification and Certification, subp. 1, because it imposes prenotification requirements that do not exist in the Federal program.

Minn. R. 7150.0090, Notification and Certification, subp. 5, because it requires records to be submitted to the implementing agency, where the Federal program only requires records to be readily available when requested by the implementing agency.

Minn. R. 7150.0100, Performance Standards for UST Systems, subp. 13, because it mandates the use of a double-poppet design where the Federal program does not.

Minn. R. 7150.0100, Performance Standards for UST Systems, subp. 14, only to the extent that the drop tube requirements are inconsistent with codes of practice used in the Federal program.

Minn. R. 7150.0205, Design and Construction, subp. 1(B)(2), because it requires use of corrosion protection on all metal underground storage tanks where the Federal program does not.

Minn. R. 7150.0205, Design and Construction, subp. 1(B)(2)(b), because it requires certification where the Federal program does not.

Minn. R. 7150.0205, Design and Construction, subp. 1(B)(2)(c), because it requires certification where the Federal program does not.

Minn. R. 7150.0215, Operating and Maintaining Corrosion Protection, subp. 3(B)(1), because it requires annual testing where the Federal program requires testing once every three years.

Minn. R. 7150.0215, Operating and Maintaining Corrosion Protection, subp. 3(B)(2), because it requires annual testing where the Federal program requires testing once every three years.

Minn. R. 7150.0215, Operating and Maintaining Corrosion Protection, subp. 4(A)(2), because it imposes qualification requirements on the inspector where the Federal program does not.

Minn. R. 7150.0216, Operating, Maintaining, and Testing UST Systems, subp. 3(B), because it requires use of an agency-approved tester where the Federal program does not.

Minn. R. 7150.0216, Operating, Maintaining, and Testing UST Systems, subp. 4(C), because it requires use of an agency-approved tester where the Federal program does not.

Minn. R. 7150.0216, Operating, Maintaining, and Testing UST Systems, subp. 5, because it requires use of an agency-approved tester where the Federal program does not.

Minn. R. 7150.0216, Operating, Maintaining, and Testing UST Systems, subp. 6, because it delineates requirements related to agency-approved testers which are not a part of the Federal program.

Minn. R. 7150.0250, Restoration, Corrective Actions, and Required Permanent Closure, subp. 1(A)(3), because it requires certification that the Federal program does not.

Minn. R. 7150.0300, Release Detection, subp. 1(C), as it refers to the any more stringent performance standards and methods of release detection elsewhere identified in 7150.0330 and 7150.0340.

Minn. R. 7150.0340, Method of Release Detection for Piping, subp. 2(C), because it only allows the leak-detection system to alert the operator by shutting of flow, where the Federal program allows alert by restricting or shutting off flow or by triggering an audible or visual alarm.

Minn. R. 7150.0400, Temporary Closure, subp. 3(C), because it requires the tank to be emptied after ninety days where the Federal program does not.

Minn. R. 7150.0400, Temporary Closure, subp. 5, because it requires permanent closure after five years where the Federal program does not.

Minn. R. 7150.0410, Permanent Closure and Change in Status to Storage of Nonregulated Substances, subp. 3(D), because it requires closure of co-structural retrofitted tanks where the Federal program does not.

Minn. R. 7150.0445, Class A, B, and C Operator Requirements, subp. 1(B), because it requires the Class A, B, and C operators to be the owner or operator of the underground storage tank system where the Federal program does not.

Minnesota Statutes

Minn. Stat. § 115C.03, Response to Releases, subd. 1a, because it mandates that passive bioremediation ''must be used'' where Federal rules do not contain the same mandate.

Minn. Stat. § 115C.065, Consultant or Contractor; Duty to Notify, in entirety, because it imposes duties on consultants and contractors where the Federal rules only impose these duties on owners and operators.

Minn. Stat. § 116.48, Notification Requirements, subd. 6–8, because these impose notice requirements prior to transfer of property known to contain underground storage tanks and prior to installation or removal of an

underground storage tank where the Federal rules do not.

II. Codification

A. What is codification?

Codification is the process of placing a state's statutes and regulations that comprise the state's approved UST program into the Code of Federal Regulations (CFR). Section 9004(b) of RCRA, as amended, allows EPA to approve state UST programs to operate in lieu of the Federal program. EPA codifies its authorization of state programs in 40 CFR part 282 and incorporates by reference state statutes and regulations that EPA will enforce under sections 9005 and 9006 of RCRA and any other applicable state provisions. The incorporation by reference of state authorized programs in the CFR should substantially enhance the public's ability to discern the current status of the approved state program and state requirements that can be federally enforced. This effort provides clear notice to the public of the scope of the approved program in each state.

B. What is the history of codification of Minnesota's UST program?

EPA incorporated by reference Minnesota's approved UST program at 40 CFR 282.73 effective December 31, 2001 (66 FR 59713, November 30, 2001). In this document, EPA is revising 40 CFR 282.73 to include the approved revisions.

C. What codification decisions has EPA made in this rule?

Incorporation by reference: In this rule, EPA is finalizing regulatory text that includes incorporation by reference. In accordance with the requirements of 1 CFR 51.5, EPA is finalizing the incorporation by reference of the federally-approved Minnesota statutes and regulations pertaining to re-authorization of the Minnesota UST program as described in sections I.F. and I.G. of this preamble. On November 30, 2001, EPA approved the initial Minnesota UST program with an effective date of December 31, 2001, codifying the approved program on the same date. On July 15, 2015, EPA published revisions to the original Federal UST regulations, dated September 23, 1988, making changes to the regulations in accordance with the 2005 Energy Policy Act. The UST provisions of the Act focused on preventing releases; as a result, some of the more significant changes to the Federal regulations included updating UST operator training requirements, requiring secondary containment and monitoring, setting out new spill and overfill prevention equipment testing requirements, and requiring annual testing of leak detection equipment. In response to the 2015 Federal revisions, Minnesota codified state regulations, including Minnesota Rule Chapter 7150, effective June 6, 2019, to address the changes made to the Federal program so that the State program would remain no less stringent than the Federal program. These changes to the State program are now to be incorporated as set forth below in the amendments to 40 CFR part 282.

EPA has made, and will continue to make, this document generally available through *www.regulations.gov* or by contacting the EPA Region 5 contact listed in the **FOR FURTHER INFORMATION CONTACT** section of this preamble.

This **Federal Register** document is intended to codify Minnesota's approved UST program. The codification reflects the state program that will be in effect at the time EPA's approved revisions to the Minnesota UST program addressed in this direct final rule become final. The document incorporates by reference Minnesota's UST statutes and regulations and clarifies which of these provisions are included in the approved and federally-enforceable program. By codifying the approved Minnesota program and by amending the CFR, the public will more easily be able to discern the status of the federally-approved requirements of the Minnesota program.

EPA is incorporating by reference the Minnesota approved UST program in 40 CFR 282.73. Section 282.73(d)(1)(i) incorporates by reference for enforcement purposes the State's statutes and regulations.

Section 282.73 also references the Attorney General's Statement, Demonstration of Adequate Enforcement Procedures, Program Description, and Memorandum of Agreement, which are approved as part of the UST program under Subtitle I of RCRA. These documents are not incorporated by reference.

D. What is the effect of Minnesota's codification on enforcement?

EPA retains the authority under sections 9005 and 9006 of Subtitle I of RCRA, 42 U.S.C. 6991d and 6991e, and other applicable statutory and regulatory provisions to undertake inspections and enforcement actions and to issue orders in approved states. With respect to these actions, EPA will rely on Federal sanctions, Federal inspection authorities, and Federal procedures rather than the State's authorized analogues to these provisions. Therefore, EPA is not incorporating by reference such approved Minnesota procedural and enforcement authorities. Section 282.73(d)(1)(ii) of 40 CFR lists those approved Minnesota authorities that would fall into this category.

E. What State provisions are not part of the codification?

The public also needs to be aware that some provisions of the State's UST program are not part of the federally-approved State program. Such provisions are not part of the RCRA Subtitle I program because they are ''broader in scope'' than Subtitle I of RCRA. Section 281.12(a)(3)(ii) of 40 CFR states that where an approved State program has provisions that are broader in scope than the Federal program, those provisions are not a part of the federally-approved program. As a result, State provisions which are broader in scope than the Federal program are not incorporated by reference for purposes of Federal enforcement in part 282. Section 282.73(d)(1)(iii) lists for reference and clarity the Minnesota statutory and regulatory provisions which are broader in scope than the Federal program and which are not, therefore, part of the approved program being codified in this document. Provisions that are broader in scope cannot be enforced by EPA; the State, however, will continue to implement and enforce such provisions under State law.

III. Statutory and Executive Order Reviews

This action only applies to Minnesota's UST Program requirements pursuant to RCRA section 9004 and imposes no requirements other than those imposed by State law. It complies with applicable Executive Orders (EOs) and statutory provisions as follows:

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

A. Executive Order 12866: Regulatory Planning and Review and Executive Order 14094: Modernizing Regulatory Review

This action is not a significant regulatory action as defined in Executive Order 12866 (58 FR 51735, October 4, 1993), as amended by Executive Order 14094 (88 FR 21879, April 11, 2023), because this action approves and codifies State requirements for the purpose of RCRA section 9004 and imposes no additional requirements beyond those imposed by

State law. Therefore, this action was not subject to a requirement for Executive Order 12866 review.

B. Executive Order 14192: Unleashing Propensity Through Deregulation

This action is not subject to Executive Order 14192 (90 FR 9065, February 6, 2025) because this action is exempt from review under Executive Order 12866 (as described above).

C. Paperwork Reduction Act (PRA)

This rule does not impose an information collection burden under the provisions of the PRA, 44 U.S.C. 3501 *et seq.* ''Burden'' is defined at 5 CFR 1320.3(b).

D. Regulatory Flexibility Act (RFA)

I certify that this action will not have a significant economic impact on a substantial number of small entities under the RFA, 5 U.S.C. 601 *et seq.,* because this action authorizes State requirements pursuant to RCRA section 9004 and imposes no requirements beyond those imposed by State law.

E. Unfunded Mandates Reform Act (UMRA)

This action does not contain any unfunded mandates as described in UMRA, 2 U.S.C. 1501 *et seq.,* and does not significantly or uniquely affect small governments because this action approves and codifies pre-existing requirements under State law and does not impose any additional enforceable duty beyond that required by State law.

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

This action approves and codifies pre-existing requirements under State law and does not impose any additional enforceable duty beyond that required by State law, it does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531–1538). For the same reason, this action also does not significantly or uniquely affect the communities of Tribal governments, as specified by Executive Order 13175 (65 FR 67249, November 9, 2000).

G. Executive Order 13132: Federalism

This action will not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government, as specified in Executive Order 13132 (64 FR 43255, August 10, 1999), because it merely approves and codifies State requirements as part of the State RCRA underground storage tank program without altering the relationship or the distribution of power and responsibilities established by RCRA.

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

EPA interprets Executive Order 13045 (62 FR 19885, April 23, 1997) as applying only to those regulatory actions that concern environmental health or safety risks that EPA has reason to believe may disproportionately affect children, per the definition of ''covered regulatory action'' in section 2–202 of the Executive Order. Therefore, this action is not subject to Executive Order 13045 because it approves a State program.

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

This rule is not subject to Executive Order 13211 (66 FR 28355, May 22, 2001) because it is not a ''significant regulatory action'' as defined under Executive Order 12866.

J. National Technology Transfer and Advancement Act (NTTAA)

Under RCRA section 9004(b), EPA grants a State's application for approval if the State meets the criteria required by RCRA. It would thus be inconsistent with applicable law for EPA, when it reviews a State approval application, to require the use of any particular voluntary consensus standard in place of another standard that otherwise satisfies the requirements of RCRA. Thus, the requirements of Section 12(d) of the NTTAA, 15 U.S.C. 272 note, do not apply to this action.

K. Congressional Review Act (CRA)

This action is subject to the CRA, 5 U.S.C. 801 *et seq.,* and EPA will submit a rule report containing this document and other required information to each House of the Congress and the Comptroller General of the United States prior to publication 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). However, this action will be effective November 10, 2025 because it is a direct final rule.

Authority: This rule is issued under the authority of sections 2002(a), 7004(b), and 9004 of the Solid Waste Disposal Act, as amended, 42 U.S.C. 6912, 6991c, 6991d, and 6991e.

List of Subjects in 40 CFR Part 282

Environmental Protection, Administrative practice and procedure, Confidential business information, Hazardous substances, Incorporation by reference, Insurance, Intergovernmental relations; Oil pollution, Penalties, Petroleum, Reporting and recordkeeping requirements, State program approval, Surety bonds, Underground storage tanks, Water pollution control, Water supply.

Dated: August 26, 2025.

Anne Vogel,

Regional Administrator, Region 5.

For the reasons set forth in the preamble, EPA is amending 40 CFR part 282 as follows:

PART 282—APPROVED UNDERGROUND STORAGE TANK PROGRAMS

■ 1. The authority citation for part 282 continues to read as follows:

Authority: 42 U.S.C. 6912, 6991c, 6991d, and 6991e.

■ 2. Revise § 282.73 to read as follows:

§ 282.73 Minnesota State-Administered Program.

(a) *History of the approval of Minnesota's program.* The State of Minnesota is approved to administer and enforce an underground storage tank program in lieu of the Federal program under subtitle I of the Resource Conservation and Recovery Act of 1976 (RCRA), as amended, 42 U.S.C. 6991 *et seq.* The State's program, as administered by the Minnesota Pollution Control Agency, was approved by EPA pursuant to 42 U.S.C. 6991c and part 281 of this chapter. EPA approved the Minnesota program on November 30, 2001, and approval was effective on December 31, 2001. A subsequent program revision application was approved by EPA and became effective on November 10, 2025.

(b) *Enforcement authority.* Minnesota has primary responsibility for administering and enforcing its federally-approved underground storage tank program. However, EPA retains the authority to exercise its inspection and enforcement authorities under sections 9005 and 9006 of subtitle I of RCRA, 42 U.S.C. 6991d and 6991e, regardless of whether the State has taken its own actions, as well as under any other applicable statutory and regulatory provisions.

(c) *Retaining program approval.* To retain program approval, Minnesota must revise its approved program to adopt new changes to the Federal

Subtitle I program which make it more stringent, in accordance with section 9004 of RCRA, 42 U.S.C. 6991c, and 40 CFR part 281, subpart E. If Minnesota obtains approval for the revised requirements pursuant to section 9004 of RCRA, 42 U.S.C. 6991c, the newly approved statutory and regulatory provisions will be added to this subpart and notice of any change will be published in the **Federal Register**.

(d) *Final program approval.* Minnesota has final approval for the following elements of its program application originally submitted to EPA and approved on November 30, 2001, and effective December 31, 2001, and the program revision application approved by EPA, effective on November 10, 2025:

(1) *State statutes and regulations*—(i) *Incorporation by reference.* The material cited in this paragraph (d)(1)(i), and listed in appendix A to part 282, is incorporated by reference as part of the underground storage tank program under subtitle I of RCRA, 42 U.S.C. 6991 *et seq.* The Director of the Federal Register approves this incorporation by reference in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. For the availability of this information at the National Archives and Records Administration and at the EPA, see § 282.2(b). You may obtain copies of the Minnesota regulations and statutes that are incorporated by reference in this paragraph from the Minnesota Legislature, Office of the Revisor of Statutes website at: *https://www.revisor.mn.gov/statutes/* for Statutes and *https://www.revisor.mn.gov/rules/* for Rules, or from the Minnesota Pollution Control Agency, *https://www.pca.state.mn.us/,* 520 Lafayette Road N, St. Paul, MN 55155–4194.

(A) EPA-Approved Minnesota Regulatory Requirements Applicable to the Underground Storage Tank Program, May 2025.

(B) EPA-Approved Minnesota Statutory Requirements Applicable to the Underground Storage Tank Program, May 2025.

(ii) *Legal basis.* EPA evaluated the following statutes and regulations, which provide the legal basis for the State's implementation of the underground storage tank program, but they are not being incorporated by reference for enforcement purposes and do not replace Federal authorities.

Minnesota Rules

(A) Minn. R. Civ. P. 24.

(B) Minn. R. 7045.0275, Management of Hazardous Waste Spills.

(C) Minn. R. 7060.0100, Purpose.

(D) Minn. R. 7060.0200, Policy.

(E) Minn. R. 7060.0300, Definitions.

(F) Minn. R. 7060.0400, Uses of Underground Waters.

(G) Minn. R. 7060.0500, Nondegradation Policy.

(H) Minn. R. 7060.0700, Severability.

(I) Minn. R 7060.0900, Variance.

Minnesota Statutes

(J) Minn. Stat. section 115.061, Duty to Notify; Avoiding Water Pollution.

(K) Minn. Stat. section 115.071, Enforcement.

(L) Minn. Stat. section 115B.17, State Response to Releases.

(M) Minn. Stat. section 115B.18, Failure to Take Requested Actions; Civil Penalties; Action to Compel Performance; Injunctive Relief, subd. 4.

(N) Minn. Stat. section 115C.01, Citation.

(O) Minn. Stat. section 115C.021, Responsible Person.

(P) Minn. Stat. section 115C.03, Response to Releases, subd. 1, 2–7, 7a, 8–10.

(Q) Minn. Stat. section 115C.04, Liability for Response Costs.

(R) Minn. Stat. section 115C.045, Kickbacks.

(S) Minn. Stat. section 115C.05, Civil Penalty.

(T) Minn. Stat. section 115C.06, Effect on Other Law.

(U) Minn. Stat. section 115C.07, Petroleum Tank Release Compensation Board.

(V) Minn. Stat. section 115C.08, Petroleum Tank Fund.

(W) Minn. Stat. section 115C.09, Reimbursement.

(X) Minn. Stat. section 115C.093, Corrective Action; Performance Audits.

(Y) Minn. Stat. section 115C.094, Abandoned Underground Storage Tanks.

(Z) Minn. Stat. section 115C.10, Funding Agency Actions.

(AA) Minn. Stat. section 115C.11, Consultants and Contractors; Sanctions.

(BB) Minn. Stat. section 115C.112, Consultant and Contractor Sanctions; Actions Based on Conduct Occuring On and After March 14, 1996.

(CC) Minn. Stat. section 115C.113, Orders.

(DD) Minn. Stat. section 115C.12, Appealing Reimbursement Determination.

(EE) Minn. Stat. chapter 115E.

(FF) Minn. Stat. section 116.072, Administrative Penalties.

(GG) Minn. Stat. section 116.091, Systems and Facilities, subd. 3.

(HH) Minn. Stat. section 116.49, Environmental Protection Requirements, subd. 1, 1a, 2.

(II) Minn. Stat. section 13.7411, Pollution Control and Environmental Quality Data Coded Elsewhere.

(JJ) Minn. Stat. section 299F.011, State Fire Code; Administration and Enforcement.

(KK) Minn. Stat. section 299F.19, Flammable Liquids and Explosives.

(iii) Provisions *not incorporated by reference.* The following statutory and regulatory provisions are broader in scope than the Federal program, are not part of the approved program, and are not incorporated by reference herein.

Minnesota Rules

(A) Minn. R. 7150.0010, Applicability, subp. 2(H), in part as to ''of 1,100 gallons or less capacity.''

(B) Minn. R. 7150.0010, Applicability, subp. 5.

(C) Minn. R. 7150.0030, Definitions, subp. 1, in part as to ''Terms that are not specifically defined have the meanings given in Minnesota Statutes, sections 115.01, 115C.02, and 116.46.''

(D) Minn. R. 7150.0030, Definitions, subp. 50a, in part as to ''or other potentially harmful substance.''

(E) Minn. R. 7150.0030, Definitions, subp. 51(A)(1), in part as to ''or other potentially harmful substance.''

(F) Minn. R. 7150.0090, Notification and Certification, subp. 2–4, in part as to ''dispensers.''

(G) Minn. R. 7150.0090, Notification and Certification, subp. 9.

(H) Minn. R. 7150.0216, Operating, Maintaining, and Testing UST Systems, subp. 1(B).

(I) Minn. R. 7060.0600, Standards, subp. 1, 2, and 5–8.

Minnesota Statutes

(J) Minn. Stat. section 115C.02, Definitions, subd. 10 and 10a.

(K) Minn. Stat. section 116.46, Definitions, subd. 1a, 7a, 7b, and 10.

(L) Minn. Stat. section 116.47(2), Exemptions, in part as to ''of 1,100 gallons or less capacity.''

(M) Minn. Stat. section 116.47(10), Exemptions.

(N) Minn. Stat. section 116.48, Notification Requirements, subd. 1(b) and 4.

(O) Minn. Stat. section 116.48, Notification Requirements, subd. 2, 3, 5, and 6 in part as they apply to aboveground storage tanks.

(P) Minn. Stat. section 116.49, Environmental Protection Requirements, subd. 3 and 4.

(2) *Statement of legal authority.* The Attorney General's ''State Underground Storage Tank Program Authorization'' Letter, signed by the Minnesota Attorney General on April 17, 2023, though not incorporated by reference, is referenced as part of the approved underground storage tank program under subtitle I of RCRA, 42 U.S.C. 6991 *et seq.*

(3) *Demonstration of procedures for adequate enforcement.* The ''Demonstration of Adequate Enforcement Procedures'' Letter, dated January 2022 and submitted as part of the program revision application, though not incorporated by reference, is referenced as part of the approved underground storage tank program under Subtitle I of RCRA, 42 U.S.C. 6991 *et seq.*

(4) *Program description.* The program description and any other material submitted as part of the program revision application on August 22, 2023, though not incorporated by reference, are referenced as part of the approved underground storage tank program under subtitle I of RCRA, 42 U.S.C. 6991 *et seq.*

(5) *Memorandum of Agreement.* The Memorandum of Agreement between EPA Region 5 and the State of Minnesota's Minnesota Pollution Control Agency, signed by the EPA Regional Administrator on December 21, 2018, though not incorporated by reference, is referenced as part of the approved underground storage tank program under subtitle I of RCRA, 42 U.S.C. 6991 *et seq.*

■ 3. Appendix A to part 282 is amended by revising the entry for ''Minnesota'' to read as follows:

Appendix A to Part 282—State Requirements Incorporated by Reference in Part 282 of the Code of Federal Regulations

* * * * *

Minnesota

(a) The statutory provisions include:

(1) Minn. Stat. chapter 155C, Petroleum Tank Release Cleanup

(A) Minn. Stat. section 115C.02, *except for* subd. 10 and 10a.

(B) Minn. Stat. section 115C.03, subd. 1a.

(C) Minn. Stat. section 115C.065.

(2) Minn. Stat. chapter 116, Pollution Control Agency

(A) Minn. Stat. section 116.46, *except for* subd. 1a, 7a, 7b, and 10.

(B) Minn. Stat. section 116.47, *except for* (2), in part as to ''of 1,100 gallons or less capacity,'' and (10).

(C) Minn. Stat. section 116.48, *except for* subd. 1(b) and 4, in entirety, and subd. 2, 3, 5, and 6, in part as related to above ground storage tanks.

(b) The regulatory provisions include:

(1) Minn. R. chapter 7060, Minnesota Pollution Control Agency, Underground Waters

(A) Minn. R. 7060.0600, subp. 3, 4.

(B) Minn. R. 7060.0800.

(2) Minn. R. chapter 7150, Minnesota Pollution Control Agency, Underground Storage Tanks; Program

(A) Minn. R. 7150.0010, except for subp. 2(H), in part as to ''of 1,100 gallons or less capacity,'' and 5.

(B) Minn. R. 7150.0030, *except for* subp. 1, in part as to ''[t]erms that are not specifically defined have the meanings given in Minnesota Statutes, sections 115.01, 115C.02, and 116.46,'' 50a, in part as to ''or other potentially harmful substance,'' and 51(A)(1), in part as to ''or other potentially harmful substance.''

(C) Minn. R. 7150.0090, *except for* subp. 9.

(D) Minn. R. 7150.0100.

(E) Minn. R. 7150.0205.

(F) Minn. R. 7150.0215.

(G) Minn. R. 7150.0216, *except for* subp. 1(B).

(H) Minn. R. 7150.0250.

(I) Minn. R. 7150.0300.

(J) Minn. R. 7150.0330.

(K) Minn. R. 7150.0340.

(L) Minn. R. 7150.0345.

(M) Minn. R. 7150.0400

(N) Minn. R. 7150.0410.

(O) Minn. R. 7150.0430.

(P) Minn. R. 7150.0445.

(Q) Minn. R. 7150.0450.

(R) Minn. R. 7150.0451.

(S) Minn. R. 7150.0500.

* * * * *

[FR Doc. 2025–17521 Filed 9–10–25; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 282

[EPA–R03–UST–2025–0091; FRL 12797–02–R3]

Maryland: Final Approval of State Underground Storage Tank Program Revisions, Codification, and Incorporation by Reference

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule.

SUMMARY: Pursuant to the Solid Waste Disposal Act of 1965, as amended (commonly known as the Resource Conservation and Recovery Act (RCRA)), the Environmental Protection Agency (EPA) is taking direct final action to approve revisions to the State of Maryland's Underground Storage Tank (UST) program submitted by Maryland (Maryland or State). This action also codifies EPA's approval of Maryland's state program and incorporates by reference (IBR) those provisions of Maryland's regulations and statutes that EPA has determined meet the requirements for approval. The provisions will be subject to EPA's inspection and enforcement authorities under sections 9005 and 9006 of RCRA Subtitle I and other applicable statutory and regulatory provisions.

DATES: This rule is effective November 10, 2025, unless EPA receives significant negative comments opposing this action by October 14, 2025. If EPA receives significant negative comments opposing this action, EPA will publish a timely withdrawal in the **Federal Register** informing the public that the rule will not take effect. The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register, as of November 10, 2025, in accordance with 5 U.S.C. 552(a) and 1 Code of Federal Regulations (CFR) part 51.

ADDRESSES: Submit your comments by one of the following methods:

1. *Federal eRulemaking Portal: https://www.regulations.gov.* Follow the on-line instructions for submitting comments.

2. *Email: uybarreta.thomas@epa.gov.*

Instructions: Direct your comments to Docket ID No. EPA–R03–UST–2025–0091.

EPA's policy is that all comments received will be included in the public docket without change and may be available online at *https://www.regulations.gov,* including any personal information provided, unless the comment includes information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Do not submit information that you consider to be CBI or otherwise protected through *https://www.regulations.gov,* or email. The Federal website, *https://www.regulations.gov,* is an ''anonymous access'' system, which means EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send an email comment directly to EPA without going through *https://www.regulations.gov,* your email address will be automatically captured and included as part of the comment that is placed in the public docket and made available on the internet. If you submit an electronic comment, EPA recommends that you include your name and other contact information in the body of your comment. If EPA cannot read your comment due to technical difficulties, and cannot contact you for clarification, EPA may not be able to consider your comment. Electronic files should avoid the use of special characters, any form of encryption, and be free of any defects or viruses. EPA encourages electronic submittals, but if you are unable to submit electronically, please reach out to the EPA contact person listed in this document for assistance. If you need assistance in a language other than English, or you are a person with

disabilities who needs a reasonable accommodation at no cost to you, please reach out to the EPA contact person by email or phone.

Docket: All documents in the docket are listed in the *https://www.regulations.gov* index. Although listed in the index, some information might not be publicly available, *e.g.,* CBI or other information whose disclosure is restricted by statute. Publicly available materials are available electronically through *https://www.regulations.gov.*

FOR FURTHER INFORMATION CONTACT: Thomas UyBarreta, (215) 814–2953, *uybarreta.thomas@epa.gov,* RCRA Programs Branch; Land, Chemicals, and Redevelopment Division, EPA Region 3, Four Penn Center, 1600 John F. Kennedy Blvd., (Mailcode 3LD30), Philadelphia, PA 19103.

SUPPLEMENTARY INFORMATION:

I. Approval of Revisions to Maryland's Underground Storage Tank Program

A. Why are revisions to state programs necessary?

Section 9004 of RCRA authorizes EPA to approve state underground storage tank (UST) programs to operate in lieu of the Federal UST program. EPA may approve a state program if the state demonstrates, pursuant to section 9004(a), 42 U.S.C. 6991c(a), that the state program includes the elements set forth at section 9004(a)(1) through (9), 42 U.S.C. 6991c(a)(1) through (9), and provides for adequate enforcement of compliance with UST standards (section 9004(a), 42 U.S.C. 6991c(a)). Additionally, EPA must find, pursuant to section 9004(b), 42 U.S.C. 6991c(b), that the state program is ''no less stringent'' than the Federal program in the elements set forth at section 9004(a)(1) through (7), 42 U.S.C. 6991c(a)(1) through (7). States such as Maryland that have received final UST program approval from EPA under section 9004 of RCRA must, in order to retain such approval, revise their approved programs when the controlling Federal or state statutory or regulatory authority is changed and EPA determines a revision is required. In 2015, EPA revised the Federal UST regulations and determined that states must revise their UST programs accordingly.

B. What decisions has EPA made in this rule?

On June 28, 2024, in accordance with 40 CFR 281.51, Maryland submitted a complete program revision application seeking EPA approval for its UST program revisions (State Application). Maryland's revisions correspond to the EPA final rule published on July 15, 2015 (80 FR 41566), which revised the 1988 UST regulations and the 1988 state program approval (SPA) regulations. As required by 40 CFR 281.20, the State Application contains the following: a transmittal letter requesting program approval; a description of the program and operating procedures; a demonstration of the State's procedures to ensure adequate enforcement; a Memorandum of Agreement outlining the roles and responsibilities of EPA and the implementing agency; an Attorney General's statement in accordance with 40 CFR 281.24 certifying to applicable State authorities; and copies of all relevant State statutes and regulations. EPA has reviewed the State Application and determined that the revisions to Maryland's UST program are no less stringent than the corresponding Federal requirements in subpart C of 40 CFR part 281, and that Maryland's program provides for adequate enforcement of compliance (40 CFR 281.11(b)). Therefore, EPA grants Maryland final approval to operate its UST program with the changes described in the State Application, and as outlined below in section I.G. of this preamble.

C. What is the effect of this approval decision?

This action does not impose additional requirements on the regulated community because the regulations being approved by this rule are already effective in Maryland, and they are not changed by this action. This action merely approves the existing State regulations as meeting the Federal requirements and renders them federally enforceable.

D. Why is EPA using a direct final rule?

EPA is publishing this direct final rule concurrently with a proposed rulemaking because EPA views this as a noncontroversial action and anticipates no significant negative comment. EPA is providing an opportunity for public comment now.

E. What happens if EPA receives comments that oppose this action?

Along with this direct final rule, EPA is publishing a separate document in the ''Proposed Rules'' section of this **Federal Register** that serves as the proposal to approve the State's UST program revisions, providing opportunity for public comment. If EPA receives significant negative comments that oppose this approval, EPA will publish a timely withdrawal in the **Federal Register** informing the public that the rule will not take effect. EPA will not make any further decision on the approval of the State program changes until it considers any significant negative comment received during the comment period. EPA will address any significant negative comment in a later final rule. You may not have another opportunity to comment. If you want to comment on this approval, you must do so at this time.

F. For what has Maryland previously been approved?

On June 30, 1992, EPA finalized a rule approving Maryland's UST program, effective July 30, 1992 (57 FR 29034), to operate in lieu of the Federal program.

G. What changes is EPA approving with this action?

On June 28, 2024, in accordance with 40 CFR 281.51, Maryland submitted a complete application for final approval of its UST program revisions adopted and effective on June 13, 2022. EPA has reviewed Maryland's UST program requirements and determined that such requirements are no less stringent than the Federal regulations and that the criteria set forth in 40 CFR part 281, subpart C are met. As part of the State Application, the Attorney General for Maryland certified that the laws and regulations of Maryland provide adequate authority to carry out a program that is ''no less stringent'' than the Federal requirements in 40 CFR part 281. EPA is relying on this certification in addition to the analysis submitted by Maryland in making our determination. EPA now makes an immediate final decision, subject to receipt of any significant negative written comments that oppose this action, that Maryland's UST program revisions satisfy all of the requirements necessary to qualify for final approval. Therefore, EPA grants Maryland final approval for the following program changes:

Required Federal element	Implementing State authority
40 CFR 281.30, New UST Systems and Notification	Code of Maryland Regulations (COMAR) 26.10.02.01A(2), 26.10.03.01A–B, 26.10.03.02A and .02B, 26.10.03.03A(1) and A(2)(a)–(b), 26.10.03.03B and .03(C)(2), 26.10.03.09, 26.10.05.01A(4) and .01B, 26.10.05.02D(3)(b), 26.10.12.02A, Md. Code, Environment Article, 4–411.1(a).
40 CFR 281.31, Upgrading Existing UST Systems	COMAR 26.10.02.01A(4)–(5), 26.10.03.08B and D–G, 26.10.12.01A–B and .03A–B.
40 CFR 281.32, General Operating Requirements	COMAR 26.10.03.01B(3), .02B(2), .03, and .07, 26.10.04.01–.05.
40 CFR 281.33, Release Detection	COMAR 26.10.02.01A(2) and (6), 26.10.05.01–.05, 26.10.12.02A and .05.
40 CFR 281.34, Release Reporting, Investigation, and Confirmation	COMAR 26.10.01.05, 26.10.04.01B, 26.10.08.01–.04.
40 CFR 281.35, Release Response and Corrective Action	COMAR 26.10.09.01–.08.
40 CFR 281.36, Out-of-service Systems and Closure	COMAR 26.10.10.01–.04, Md. Code, Environment Article 4–411.1(c).
40 CFR 281.37, Financial Responsibility for USTs Containing Petroleum.	COMAR 26.10.11.01–.04, Md. Code, Environment Article 4–409(b).
40 CFR 281.38, Lender Liability	COMAR 26.10.01.02B(57), Md. Code, Environment Article, 4–401(f), (j).
40 CFR 281.39, Operator Training	COMAR 26.10.16.01–.09.

The State also demonstrates that its program provides adequate enforcement of compliance as described in 40 CFR 281.11(b) and part 281, subpart D. Maryland's lead implementing agency, the Maryland Department of the Environment (MDE), has broad statutory and regulatory authority with respect to USTs to regulate installation, operation, maintenance, closure and UST releases, and to the issuance of orders. The statutory authority is found in Maryland's Environment Article in the following sections: 1–101, 4–401, 4–405, 4–408–412, 4–415–419, 4–501 and 7–201 and 7–702 and in its State Government Article at sections 10–206 and 10–226. The regulatory authority is found in Maryland's regulations, Oil Pollution Control and Storage Tank Management, Title 26, Subtitle 10, Chapters 01–18 (COMAR 26.10.01–18).

H. Where are the revised rules different from the Federal rules?

Broader in Scope Provisions

Where an approved state program has a greater scope of coverage than required by Federal law, the additional coverage is not part of the federally-approved program and is not federally enforceable (40 CFR 281.12(a)(3)(ii)). The following Maryland requirements are considered ''broader in scope'' than the Federal program:

- The State regulates aboveground tanks. *See, e.g.,* COMAR Title 26 Subtitle 10 Chapters 02, 17, 18.
- The State regulates underground farm tanks, underground residential tanks and underground residential heating oil tanks that are no longer in use. COMAR 26.10.10.02.
- The State regulates persons who are not owners or operators of underground storage tanks. *See, e.g.,* Maryland's Environment Article at section 4–401(j); COMAR Title 26 Subtitle 10 Chapter 1 Regulations .08., .13 and .14.
- The State requires permits for owners or operators of certain USTs. *See, e.g.,* COMAR 26.10.01.
- The State requires certification of persons other than installers. COMAR 26.10.06.
- The State assesses fees on oil transfers. COMAR 26.10.01.08.F.

In accordance with 40 CFR 281.12(a)(3)(ii), the additional coverage listed above is not part of the federally-approved program and is not federally enforceable.

II. Codification

A. What is codification?

Codification is the process of placing a state's statutes and regulations that comprise the state's approved program into the Code of Federal Regulations (CFR). Section 9004(b) of RCRA, as amended, allows EPA to approve state UST programs to operate in lieu of the Federal program. EPA codifies its authorization of state programs in 40 CFR part 282 and incorporates by reference state statutes and regulations that EPA will enforce under sections 9005 and 9006 of RCRA and any other applicable statutory provisions. The incorporation by reference of state authorized programs in the CFR should substantially enhance the public's ability to discern the current status of the approved state program and state requirements that can be federally enforced. This effort provides clear notice to the public of the scope of the approved program in each state.

B. What is the history of codification of Maryland's UST program?

EPA has not previously incorporated by reference Maryland's approved UST program. In this document, EPA is amending 40 CFR 282 to include the approved revised program at 40 CFR 282.70.

C. What codification decisions has EPA made in this rule?

Incorporation by reference: In this rule, EPA is finalizing regulatory text that includes incorporation by reference. In accordance with the requirements of 1 CFR 51.5, EPA is finalizing the incorporation by reference of provisions of Maryland statutes and regulations pertaining to USTs as described in sections I.G., I.H. and II.E. of this preamble that are applicable for Federal enforcement purposes. The specific requirements to be incorporated are set forth below in the amendments to 40 CFR part 282. EPA has made, and will continue to make, these documents generally available through *https://www.regulations.gov* and at the EPA Region 3 office (see the **FOR FURTHER INFORMATION CONTACT** section of this preamble for more information).

One purpose of this **Federal Register** document is to codify Maryland's approved UST program. The codification reflects the State program that will be in effect at the time EPA's approved revisions to Maryland's UST program addressed in this direct final rule become final. If, however, EPA receives any significant negative comment opposing the proposed rulemaking then this codification will not take effect, and the State rules that are approved after EPA considers public comment will be codified instead. This document incorporates by reference Maryland's UST statutes and regulations and clarifies which of these provisions are included in the approved and federally-enforceable program. By codifying the approved Maryland program and by amending the CFR, the public will more easily be able to discern the status of the federally-

approved requirements of the Maryland program.

EPA is incorporating by reference the Maryland approved UST program in 40 CFR 282.70. Section 282.70(d)(1)(i) incorporates by reference for enforcement purposes the State's statutes and regulations.

Section 282.70(d) also references the Attorney General's Statement, Demonstration of Adequate Enforcement Procedures, the Program Description, and the Memorandum of Agreement, which are approved as part of the UST program under Subtitle I of RCRA. These documents are not incorporated by reference.

D. What is the effect of Maryland's codification on enforcement?

The EPA retains the authority under sections 9005 and 9006 of Subtitle I of RCRA, 42 U.S.C. 6991d and 6991e, and other applicable statutory and regulatory provisions to undertake inspections and enforcement actions and to issue orders in approved states. If EPA determines it will take such actions in Maryland, EPA will rely on Federal sanctions, Federal inspection authorities, and Federal procedures rather than the State's authorized analogs to these provisions. Therefore, EPA is not incorporating by reference such approved Maryland's procedural and enforcement authorities. Section 282.70(d)(1)(ii) of 40 CFR lists those approved Maryland authorities that would fall into this category.

E. What State provisions are not part of the codification?

The public also needs to be aware that some provisions of the State's UST program are not part of the federally-approved State program. These provisions are not part of the RCRA Subtitle I program because they are ''broader in scope'' than Subtitle I of RCRA. Forty CFR 281.12(a)(3)(ii) states that where an approved state program has a greater scope of coverage than required by Federal law, the additional coverage is not a part of the federally-approved program. As a result, state provisions that are ''broader in scope'' than the Federal program are not incorporated by reference for purposes of enforcement in part 282. Section 282.70(d)(1)(iii) lists for reference and clarity Maryland's statutory and regulatory provisions that are ''broader in scope'' than the Federal program and which are not, therefore, part of the approved program being codified in this action. Provisions that are ''broader in scope'' cannot be enforced by EPA; the State, however, will continue to implement and enforce such provisions under State law.

III. Statutory and Executive Order Reviews

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

A. Executive Order 12866: Regulatory Planning and Review

This action is not a significant regulatory action as defined in Executive Order 12866 (58 FR 51735, October 4, 1993) because this action approves and codifies State requirements for the purpose of RCRA section 9004 and imposes no additional requirements beyond those imposed by State law. Therefore, this action was not subject to a requirement for Executive Order 12866 review.

B. Executive Order 14192: Unleashing Prosperity Through Deregulation

Executive Order 14192 does not apply because actions that approve and codify state requirements for the purpose of RCRA Section 9004 and impose no additional requirements beyond those imposed by state law are exempted from review under Executive Order 12866.

C. Paperwork Reduction Act (PRA)

This rule does not impose an information collection burden under the provisions of the PRA, 44 U.S.C. 3501 *et seq.* Burden is defined at 5 CFR 1320.3(b).

D. Regulatory Flexibility Act (RFA)

I certify that this action will not have a significant economic impact on a substantial number of small entities under the RFA, 5 U.S.C. 601 *et seq.,* because this action authorizes State requirements pursuant to RCRA section 9004 and imposes no requirements beyond those imposed by State law.

E. Unfunded Mandates Reform Act (UMRA)

This action does not contain any unfunded mandates as described in UMRA, 2 U.S.C. 1501 *et seq.,* and does not significantly or uniquely affect small governments because this action approves and codifies pre-existing requirements under State law and does not impose any additional enforceable duty beyond that required by State law.

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

This action does not have Tribal implications as specified in Executive Order 13175 (65 FR 67429, November 9, 2000) because currently there are no federally recognized tribes in Maryland. Thus, Executive Order 13175 does not apply to this action.

G. Executive Order 13132: Federalism

This action will not have substantial direct effects on the states, on the relationship between the national government and the states, or on the distribution of power and responsibilities among the various levels of government, as specified in Executive Order 13132 (64 FR 43255, August 10, 1999), because it merely approves and codifies State requirements as part of the State RCRA underground storage tank program without altering the relationship or the distribution of power and responsibilities established by RCRA.

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

EPA interprets Executive Order 13045 (62 FR 19885, April 23, 1997) as applying only to those regulatory actions that concern environmental health or safety risks that EPA has reason to believe may disproportionately affect children, per the definition of ''covered regulatory action'' in section 2–202 of the Executive Order. Therefore, this action is not subject to Executive Order 13045 because it approves a State program.

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

This rule is not subject to Executive Order 13211 (66 FR 28355, May 22, 2001) because it is not a ''significant regulatory action'' as defined under Executive Order 12866.

J. National Technology Transfer and Advancement Act (NTTAA)

Under RCRA section 9004(b), EPA grants a state's application for approval as long as the state meets the criteria required by RCRA. It would thus be inconsistent with applicable law for EPA, when it reviews a state approval application, to require the use of any particular voluntary consensus standard in place of another standard that otherwise satisfies the requirements of RCRA. Thus, the requirements of section 12(d) of the NTTAA, 15 U.S.C. 272 note, do not apply to this action.

K. Congressional Review Act (CRA)

This action is subject to the CRA, 5 U.S.C. 801 *et seq.,* and EPA will submit a rule report containing this document and other required information to each House of the Congress and the

Comptroller General of the United States prior to publication 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). However, this action will be effective November 10, 2025 because it is a direct final rule.

Authority: This rule is issued under the authority of section 9004 of the Solid Waste Disposal Act of 1965, as amended, 42 U.S.C. 6991c.

List of Subjects in 40 CFR Part 282

Environmental protection, Administrative practice and procedure, Confidential business information, Hazardous substances, Incorporation by reference, Insurance, Intergovernmental relations, Oil pollution, Penalties, Petroleum, Reporting and recordkeeping requirements, State program approval, Surety bonds, Underground storage tanks, Water pollution control, Water supply.

Amy Van Blarcom-Lackey,

Regional Administrator, EPA Region 3.

For the reasons set forth in the preamble, EPA is amending 40 CFR part 282 as follows:

PART 282—APPROVED UNDERGROUND STORAGE TANK PROGRAMS

■ 1. The authority citation for part 282 continues to read as follows:

Authority: 42 U.S.C. 6912, 6991c, 6991d, and 6991e.

■ 2. Add § 282.70 to read as follows:

§ 282.70 Maryland State-Administered Program.

(a) The State of Maryland is approved to administer and enforce an underground storage tank program in lieu of the Federal program under subtitle I of the Resource Conservation and Recovery Act of 1976 (RCRA), as amended, 42 U.S.C. 6991 *et seq.* The State's program, as administered by the Maryland Department of the Environment, was approved by EPA pursuant to 42 U.S.C. 6991c and 40 CFR part 281. EPA approved Maryland's underground storage tank program on June 30, 1992, and approval was effective on July 30, 1992. A subsequent program revision application was approved by EPA and became effective on November 10, 2025.

(b) Maryland has primary responsibility for administering and enforcing its federally-approved underground storage tank program. However, EPA retains the authority to exercise its inspection and enforcement authorities under sections 9005 and 9006 of subtitle I of RCRA, 42 U.S.C. 6991d and 6991e, regardless of whether the State has taken its own actions, as well as under any other applicable statutory and regulatory provisions.

(c) To retain program approval, Maryland must revise its approved program to adopt new changes to the Federal Subtitle I program which makes it more stringent, in accordance with section 9004 of RCRA, 42 U.S.C. 6991c, and 40 CFR part 281, subpart E. If Maryland obtains approval for the revised requirements pursuant to section 9004 of RCRA, 42 U.S.C. 6991c, the newly approved statutory and regulatory provisions will be added to this subpart and notice of any change will be published in the **Federal Register**.

(d) Maryland has final approval for the following elements of its program application originally submitted to EPA and approved on June 30, 1992, and effective July 30, 1992, and the program revision application submitted to EPA on June 28, 2024, and approved by EPA, effective on November 10, 2025.

(1) *State statutes and regulations*—(i) *Incorporation by reference.* The provisions cited in this paragraph (d)(1)(i), and listed in appendix A to part 282, with the exception of the provisions cited in paragraphs (d)(1)(ii) and (iii) of this section, are incorporated by reference as part of the approved underground storage tank program in accordance with Subtitle I of RCRA, 42 U.S.C. 6991 *et seq.* The Director of the Federal Register approves this incorporation by reference in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. For the availability of this information at the National Archives and Records Administration and at the EPA, see § 282.2(b). You may obtain copies of Maryland's regulations and statutes that are incorporated by reference in this paragraph (d)(1) from Maryland Department of the Environment, 1800 Washington Boulevard, Suite 620, Baltimore, MD 21230; phone number 410–537–3442.

(A) Maryland Statutory Requirements Applicable to the Underground Storage Tank Program, October 2022.

(B) Maryland Regulatory Requirements Applicable to the Underground Storage Tank Program, June 2022.

(ii) *Legal basis.* EPA evaluated the following statutes and regulations, which are part of the approved program, but they are not being incorporated by reference for enforcement purposes, and do not replace Federal authorities:

(A) The statutory provisions include:

(*1*) Md. Code, Environment, Sections: 4–405(a), 4–410, 4–411.1(b), 4–412, 4–415.1, 4–415–418, 4–501–502, 7–207(a), 7–222, 7–256, 7–262–263, 7–266.

(*2*) Md. Code, State Government, Section 10–206.

(B) The regulatory provisions include:

(*1*) Code of Maryland Regulations, Title 26, Subtitle 10, Chapter 01, Regulations: .19 and .24 and Chapter 02, Regulations: .03.C, .04 and .05.

(*2*) Maryland Rules of Civil Procedure: Rule 2–214, Intervention.

(iii) *Provisions not incorporated by reference.* The following statutory and regulatory provisions are ''broader in scope'' than the Federal program, are not part of the approved program, and are not incorporated by reference herein. These provisions are not federally enforceable.

(A) Md. Code, Environment, Sections: 1.101, 4–401.1(e) and (i) insofar as each definition includes tanks not regulated by the Federal program and (j) insofar as it includes persons who are not owners or operators of USTs; 4–402, 4–407–408, 4–411.2., 4–419–420, 4–701–708, 7–201.

(B) Code of Maryland Regulations, Title 26, Subtitle 10, Chapter 01, Regulations: .01.A, B and C insofar as B and C include persons who are not owners or operators of USTs; .02.B(1), (2), (3)(a)(i), (4), (6), (9), (10)–(11), (14), (17), (23)(a), (28), (33), (36), (38)–(39), (41)–(42), (49), (54), (58)–(60), (70)–(73), (76), (81)–(84), (87)–(89), (92)–(93), (95)–(96), and (51), (53), (56)–(57), and (67) insofar as each definition includes persons who are not owners or operators of USTs and (50), (63), (65)–(66), (79), and (85)–(86) insofar as each definition includes tanks or other units that are not regulated by the Federal program; .03 insofar as includes documents pertaining to units not regulated by the Federal program; .04, .05 and .06 insofar as each applies to persons who are not owners or operators of USTs; .07–.17, .18 insofar as applies to persons who are not owners or operators of USTs, .19 and .20 insofar as each applies to persons who are not owners or operators of USTs, .20B(2), .21–.23; Chapter 02 Regulations: .02.B(41)(b)(i) insofar as includes tanks not regulated by the Federal program; .03.B and D insofar as includes persons who are not owners or operators of USTs; Chapter 08, Regulations .01–.04 insofar as include persons who are not owners or operators of USTs; Chapter 09, Regulations: .01.A–B and .02–.07 insofar as include persons who are not owners or operators of USTs; Chapter 10, Regulations: .02.A insofar as includes tanks not regulated by the Federal program, B, C, D(2)–(5) insofar as include persons who are not owners or operators of USTs; Chapter

12, Regulation .01 insofar as includes persons who are not owners or operators of USTs; Chapters 06, 13, 14, 15, 17 and 18.

(2) *Statement of legal authority.* ''Attorney General's Statement'' signed by the Attorney General on May 7, 2024, though not incorporated by reference, is referenced as part of the approved underground storage tank program under Subtitle I of RCRA, 42 U.S.C. 6991 *et seq.*

(3) *Demonstration of procedures for adequate enforcement.* The ''Demonstration of Adequate Enforcement Procedures'' submitted as part of the program revision application for approval on June 28, 2024, though not incorporated by reference, is referenced as part of the approved underground storage tank program under Subtitle I of RCRA, 42 U.S.C. 6991 *et seq.*

(4) *Program description.* The program description and any other material submitted as part of the program revision application for approval on June 28, 2024, though not incorporated by reference, are referenced as part of the approved underground storage tank program under Subtitle I of RCRA, 42 U.S.C. 6991 *et seq.*

(5) *Memorandum of Agreement.* The Memorandum of Agreement between EPA Region 3 and the Maryland Department of the Environment, signed by the EPA Regional Administrator on November 26, 2018, though not incorporated by reference, is referenced as part of the approved underground storage tank program under Subtitle I of RCRA, 42 U.S.C. 6991 *et seq.*

■ 3. Appendix A to part 282 is amended by adding an entry in alphabetical order for ''Maryland'' to read as follows:

Appendix A to Part 282—State Requirements Incorporated by Reference in Part 282 of the Code of Federal Regulations

* * * * *

Maryland

(a) The statutory provisions include:

(1) Md. Code Title 1, Environment Article.

Section 4–401.1, *except (e) and (i) insofar as each definition includes tanks not regulated by the Federal program and (j), insofar as it includes persons who are not owners or operators of USTs;*

Section 4–409. Liability for oil spill damages, *except (a) insofar as includes persons who are not owners or operators of USTs.*

Section 4–411.1. Underground oil storage facility registration, *except (b).*

(2) [Reserved]

(b) The regulatory provisions include:

(1) Code of Maryland Regulations, Title 26, Department of the Environment, Subtitle 10 Oil Pollution Control and Storage Tank Management.

Chapter 01 Oil Pollution Control

Regulation .01 Scope and Applicability, B and C *except insofar as include persons who are not owners or operators of USTs.*

Regulation .02 Definitions, B(3)(a)(ii) and (b), (5), (7)–(8), (12)–(13), (15)–(16), (18)–(22), (23)(b), (24)–(27), (29)–(32), (34)–(35), (37), (40), (43)–(48), (52), (55), (57), (61)–(62), (63)(b), (64), (68)–(69), (74)–(75), (78), (80), (90)–(91), (94), and (51), (53), (56)–(57), (67) *except insofar as each definition includes persons who are not owners or operators of USTs;* and (50), (63), (65)–(66), (79), (85)–(86) *except insofar as each definition includes tanks or other units that are not regulated by the Federal program.*

Regulation .03 Incorporation by Reference, *except as to those documents that pertain solely to units not regulated by the Federal program.*

Regulation .05 Reporting an Oil Spill, Release, or Discharge, *except C and D.*

Regulation .06 Removal of an Oil Spill, Release or Discharge, *except insofar as includes persons who are not owners or operators of USTs.*

Regulation .18 Requirements for Oil Transfers at Facilities, *except insofar as includes persons who are not owners or operators of USTs.*

Regulation .20 Requirements for Motor Fuel Dispensing Facilities, *except insofar as includes persons who are not owners or operators of USTs and B(2).*

Chapter 02 Underground Storage Tank Systems

Regulation .01 Applicability.

Regulation .02 Definitions, *except B(41)(b)(i) insofar as includes tanks excluded by the Federal program.*

Regulation .03 General Provisions for UST Systems, *except B. insofar as includes persons who are not owners or operators of USTs, C, D insofar as it requires certification of persons other than installers.*

Chapter 03 UST Systems: Design, Construction, Installation, Registration, and Inspection

Regulation .01 Performance Standards for New or Replacement UST Systems.

Regulation .02 Performance Standards for Piping.

Regulation .03 Spill and Overfill Prevention Equipment.

Regulation .04 UST System Installation Standards.

Regulation .05 Precision Tightness Testing.

Regulation .06 Piping Installation.

Regulation .07 Compatibility.

Regulation .08 Upgrading Existing UST Systems.

Regulation .09 UST System Registration Requirements.

Regulation .10 UST System Inspection Requirements.

Chapter 04 UST Systems: General Operating Requirements

Regulation .01 Spill and Overfill Control.

Regulation .02 Operation and Maintenance of Corrosion Protection.

Regulation .03 Periodic Operation and Maintenance Walkthrough Inspections.

Regulation .04 Repairs Allowed.

Regulation .05 Access, Reporting and Recordkeeping, *except A insofar as to persons who or not owners or operators of USTs.*

Chapter 05 UST Systems: Release Detection

Regulation .01 Release Detection: General Requirements for All UST Systems.

Regulation .02 Requirements for UST Systems.

Regulation .03 Requirements for Hazardous Substance UST Systems.

Regulation .04 Inventory Control.

Regulation .05 Method of Release Detection.

Regulation .06 Release Detection Recordkeeping.

Chapter 07 High Risk Oil Storage Facilities

Regulation .01 Scope.

Regulation .02 Definitions.

Regulation .03 New Gasoline UST System.

Regulation .04 Existing Gasoline UST System.

Regulation .05 Analytical Testing Methods—New or Existing Gasoline UST Systems.

Regulation .06 Detection of Levels of Concern.

Regulation .07 High Risk Underground Oil Storage Facility.

Regulation .08 Recordkeeping.

Chapter 08 Spill, Release, and Discharge Reporting, Investigation, and Confirmation

Regulation .01 Reporting of Suspected Spills, Releases, and Discharges, *except A and B(3) insofar as includes persons who are not owners or operators of USTs.*

Regulation .02 Investigation Due to Off-Site Impacts, *except insofar as to persons who are not owners or operators of USTs.*

Regulation .03 Investigation and Confirmation Steps, *except insofar as to persons who are not owners or operators of USTs.*

Regulation .04 Reporting and Remediating Spills, Releases, Discharges, and Overfills, *except insofar as to persons who are not owners or operators of USTs.*

Chapter 09 Spill, Release, and Discharge Response and Corrective Action

Regulation .01 General, *except A and B as to persons who are not owners or operators of USTs.*

Regulation .02 Initial Response, *except as to persons who are not owners or operators of USTs.*

Regulation .03 Initial Abatement Measures and Site Check, *except A and B as to persons who are not owners or operators of USTs.*

Regulation .04 Initial Site Characterization, *except A and B as to persons who are not owners or operators of USTs.*

Regulation .05 Free Product Removal, *except A and B as to persons who are not owners or operators of USTs.*

Regulation .06 Investigations of Soil and Groundwater, *except A and B as to persons who are not owners or operators of USTs.*

Regulation .07 Corrective Action Plan, *except A–G as to persons who are not owners or operators of USTs.*

Chapter 10 Out-of-Service UST Systems and Closure

Regulation .01 Temporary Closure.
Regulation .02 Permanent Closure and Changes-in-Service, *except as to persons who are not owners or operators of USTs.*
Regulation .03 Assessing the Site at Closure or Change-in-Service.
Regulation .04 Applicability to Previously Closed UST Systems.
Regulation .05 Closure Records.

Chapter 11 UST Financial Responsibility

Regulation .01 General.
Regulation .02 Incorporation by Reference.
Regulation .03 Additional Mechanism for Local Governments to Demonstrate Financial Responsibility.
Regulation .04 Reporting Requirements.

Chapter 12 UST Systems with Field-Constructed Tanks and Airport Hydrant Fuel Distribution Systems

Regulation .01 General Requirements, *except as to persons who are not owners or operators of USTs.*
Regulation .02 Exception to Piping Secondary Containment Requirements.
Regulation .03 Upgrade Requirements.
Regulation .04 Walkthrough Inspections.
Regulation .05 Release Detection.
Regulation .06 Applicability of Closure Requirements to Previously Closed UST Systems.
Regulation .07 Access, Reporting, and Recordkeeping, *except A as to persons who are not owners or operators of USTs.*

Chapter 16 Trained Facility Operators

Regulation .01 Scope.
Regulation .02 Definitions.
Regulation .03 Implementation.
Regulation .04 Requirements for Designated Operators.
Regulation .05 Requirements for Operator Training.
Regulation .07 Certification.
Regulation .08 Sanctions, *except B.*
Regulation .09 Recordkeeping.

(2) [Reserved]

* * * * *

[FR Doc. 2025–17519 Filed 9–10–25; 8:45 am]

BILLING CODE 6560–50–P

OFFICE OF MANAGEMENT AND BUDGET

Office of Federal Procurement Policy

48 CFR Parts 9903 and 9904

RIN 0348–AB78

Conformance of Cost Accounting Standards to Generally Accepted Accounting Principles for Operating Revenue and Lease Accounting

AGENCY: Cost Accounting Standards Board, Office of Federal Procurement Policy, Office of Management and Budget.

ACTION: Final rule.

SUMMARY: The Office of Federal Procurement Policy (OFPP), Cost Accounting Standards Board (the Board), is publishing, with additional clarification based on public comments from the notice of proposed rulemaking (NPRM), a final rule revising the Cost Accounting Standards (CAS) to conform them with changes in Generally Accepted Accounting Principles (GAAP) related to operating revenue and lease accounting. This final rule follows issuance of a NPRM, June 27, 2024; an advanced notice of proposed rulemaking (ANPRM), November, 5, 2020; and a Staff Discussion Paper (SDP), March 13, 2019.

DATES: *Effective date:* October 14, 2025.

FOR FURTHER INFORMATION CONTACT: John L. McClung, Manager, Cost Accounting Standards Board (telephone: 202–881–9758; email: *john.l.mcclung2@omb.eop.gov*).

SUPPLEMENTARY INFORMATION:

I. Background

On March 13, 2019, the Board published a Staff Discussion Paper (SDP) (84 FR 9143) to solicit views with respect to the Board's efforts to conform CAS requirements, where practicable, to GAAP as required by 41 U.S.C. 1501(c). Respondents were invited to comment on, among other things, whether and how CAS may need to be modified to conform to changes to GAAP that occurred after a related CAS was promulgated. More specifically, the SDP asked what recommended actions, if any, the Board should take regarding the changes in GAAP for operating revenue and lease accounting rules. The Board recognized that since the initial promulgation of CAS 403 (38 FR 26680, Dec. 14, 1972), numerous changes have been made to GAAP. This growth in GAAP content presents opportunities to modify or eliminate overlapping CAS requirements where GAAP standards may be applied reasonably as a substitute for CAS. Furthermore, some changes in GAAP may create inconsistencies not contemplated during the initial promulgations of CAS requiring action by the Board.

Public comments received on the SDP, amongst other things, urged the Board to prioritize efforts to address changes in GAAP related to operating revenue and lease accounting. In response to these comments, the Board issued an advanced notice of proposed rulemaking (ANPRM) on November 5, 2020, (85 FR 70572) that described proposed changes to the CAS that, if adopted, would (i) align CAS with GAAP on the handling of operating revenue and (ii) clarify CAS definitions to make clear that GAAP changes on lease accounting are not recognized for CAS purposes.

In regards to revenue, comments received from the ANPRM agreed with relying on GAAP for operating revenue. However, they believed the Board's desire to retain the CAS 403 criterion regarding only utilizing the ''fee for management contracts under which the contractor essentially acts as an agent of the Government in the erection or operation of Government-owned facilities,'' was unnecessary. The commenters pointed out the additional conceptual framework GAAP includes related to the principal versus agent relationship in contracts with customers. In regards to lease accounting, comments received from the ANPRM generally agreed with the need for the definitional changes of both tangible and intangible assets to include financing leases and exclude operating leases. However, they believed the Board's proposed language was ambiguous and may not achieve the desired goal of avoiding confusion or inconsistent treatment.

On June 27, 2024, the Board published the NPRM (89 FR 53575). The NRPM made further refinements to the proposed regulatory changes based on the public comments received from the ANPRM and additional research and consideration by the Board. This final rule addresses the public comments received in response to the NPRM and also reflects research accomplished by the Board. The final rule is issued by the Board in accordance with the requirements of 41 U.S.C. 1502(c).

II. Operating Revenue

A. *Overview.* The definitions of operating revenue in CAS and revenue in GAAP are currently different. The GAAP definition of ''revenue,'' found at Financial Accounting Standards Board (FASB) Accounting Standards Codification (ASC) 606–10–20, reads as follows:

''*Inflows or other enhancements of assets of an entity or settlements of its liabilities (or a combination of both) from delivering or producing goods, rendering services, or other activities that constitute the entity's ongoing major or central operations.*''

The CAS 403–30(a)(3) definition of ''operating revenue'' reads as follows:

''*. . . amounts accrued or charge[d] to customers, clients, and tenants, for the sale of products manufactured or purchased for resale, for services, and for rentals of property held primarily for leasing to others. It includes both reimbursable costs and fees under cost-type contracts and percentage-of-completion sales accruals except that it includes only the fee for management*

contracts under which the contractor essentially acts as an agent of the Government in the erection or operation of Government-owned facilities. It excludes incidental interest, dividends, royalty, and rental income, and proceeds from the sale of assets used in the business.''

In the NPRM, the Board stated its belief that while the underlying definitions are worded differently, revenue as reported by contractors in accordance with GAAP if applied for CAS purposes would achieve materially the same result as applying the current definition of operating revenue in CAS, thereby, achieving uniformity and consistency. The NPRM proposed language to remove the definition of operating revenue from CAS 403 and rely on revenue reported in accordance with GAAP for CAS purposes. In addition, the Board stated its belief that changes, if any, to cost accounting practices to conform Operating Revenue to ASC 606 should be considered to be a required change defined in accordance with 48 CFR 9903.201–6(a)(2). The Board also contemplated an exemption for cost accounting practices, if any, from the cost impact process for the initial conformance efforts to align disclosed practices with ASC 606. Lastly, the Board requested specific input on whether there are any instances where an entity might not consider itself an agent, based on ASC 606–10–55–38 when performing on a Government-owned contractor-operated (GOCO) contract.

B. *Public comments.* The Board received five sets of public comments in response to the NPRM. Comments came from industry associations, consulting firms, and individuals.

Comment: Four sets of comments generally agreed with the proposed changes and basis described by the Board in the NPRM.

Response: Based on public comments and additional research conducted by the Board, the Board continues to believe that the definition of operating revenue in CAS and revenue in GAAP are essentially equivalent. Furthermore, the Board has not identified any material impact that would occur if revenue as reported in accordance with GAAP was used for CAS purposes. On this basis, the Board has concluded that the CAS 403 definition of operating revenue has become unnecessary to protect the Government's interests and may be deleted in its entirety to allow for reliance on revenue reported in accordance with GAAP for CAS purposes.

Comment: One commentor believes the Board should focus more on recommendations of the Section 809 Panel instead of CAS–GAAP conformance efforts. The commentor asserts that the Panel's recommendations, such as raising the thresholds for CAS applicability, full CAS compliance, and disclosure requirements would be a more impactful way of reducing CAS administrative burden and promoting competition.

Response: The Board believes CAS–GAAP harmonization, which is statutorily required, and careful consideration of the section 809 Panel's recommendations are both deserving of prioritization, as reflected in the Board's agenda, which was recently published in the **Federal Register** at 90 FR 29048.

Comment: Three sets of comments responded to the Board's query in the NPRM for specific input on whether there are any instances where an entity might not consider itself an agent, based on ASC 606–10–55–38, when performing on a GOCO contract. One commentor was unaware of any circumstance where this would be the case. Another commentor asserted there could be instances where an entity might not consider itself an agent based on ASC 606–10–55–38, when performing a GOCO contract. The hypothetical provided was an entity producing a good at a GOCO facility and then placing it in its own inventory to be sold later to the government or a third party. In this and other instances where the entity is not an agent, the commentor concludes that the special allocation rules should be used to accommodate exceptions to GAAP when the use of GAAP for determining revenue does not result in an equitable allocation to GOCO segments. Finally, one commentor raised concerns that the ''privity of contract'' concept could be distorted by prime contractors in making a determination of Agency status for purposes of revenue recognition. They stated that a GOCO agency arrangement should not be the basis to combine otherwise distinct performance obligations.

Response: As noted in the NPRM, the current qualifying language in the definition of operating revenue in CAS relates to contracts where ''the contractor acts essentially as an agent of the Government in the erection or operation of Government-owned facilities.'' The Board notes that the scenario highlighted by the public appears to be related to production or both production and operation occurring at a GOCO facility. In cases where both activities are occurring on a single contract, these two separate and distinct performance obligations would allow for revenue calculations in accordance with ACS 606 that would be consistent with the current application of CAS. The Board acknowledges as a factual matter that special allocation rules exist within CAS. These special allocation rules are designed for the parties to consider the unique facts and circumstances, and negotiate if appropriate.

Furthermore, as also noted in the NPRM, while GAAP does not provide an express limitation in measuring revenue, it does recognize a conceptual framework consistent with the intent of the CAS 403 limitation. In determining revenue, GAAP, specifically FASB ASC 606—Revenue from contracts with customers, requires an entity to consider whether it is acting as a principal or an agent for each specified good or service promised to a customer. ASC 606–10–55–38 reads as follows:

''*An entity is an agent if the entity's performance obligation is to arrange for the provision of the specified good or service by another party. An entity that is an agent does not control the specified good or service provided by another party before that good or service is transferred to the customer. When (or as) an entity that is an agent satisfies a performance obligation, the entity recognizes revenue in the amount of any fee or commission to which it expects to be entitled in exchange for arranging the specified goods or services to be provided by the other party. An entity's fee or commission might be the net amount of consideration that the entity retains after paying the other party the consideration received in exchange for the goods or services to be provided by that party.*''

The relationship of a contractor performing on contracts where ''the contractor acts essentially as an agent of the Government in the erection or operation of Government-owned facilities'' is similar enough to that of an agent as described in ASC 606–10–55–38, that the Board has concluded that a government contractor would record revenue the same using GAAP, as it would under CAS. For these reasons, the final rule deletes the definition of operating revenue in its entirety from CAS 403 and relies on revenue as reported in accordance with GAAP when needed for CAS purposes.

Lastly, in regards to the concerns raised related to privity of contract, the Board notes that the reliance of revenue as reported by GAAP for CAS purposes does not change, nor should it be construed as changing, any other legal or contractual requirement(s).

Comment: Three commenters addressed the potential cost impact implications of conformance related to the definition of operating revenue. Two believed the proposed changes related to operating revenue fall under the

definition of a required change. They all also believed the Board should exempt changes, if any, related to conformance efforts from the cost impact process by adding to the existing exemption for External Restructuring (see 48 CFR 9903.201–8). The main rationale provided was that the CAS/GAAP conformance efforts are not expected to have a material impact on the Government or contractor; however, the administrative burden associated with preparing and evaluating cost impact proposals could be significant. For example, one comment noted that, since the CAS definition of ''operating revenue'' and the GAAP definition of ''revenue'' are essentially the same, the expectation is that there would be no cost impact to the Government or contractors as a result of the change. In addition, they envision that any changes to a contractor's Disclosure Statement as a result of this change would most likely be an administrative wording change and not a change in cost accounting practice. Another commenter stated they understood why the CAS Board would determine that there is no need for a cost impact to limit the administrative burden associated with immaterial changes. However, this commentor suggested the CAS Board be guarded in proffering whether a cost impact is required, even in this case, as it could lead to contracting parties seeking the CAS Board to opine on individual cost accounting changes. The commentor instead suggested that the Board amend its rules to provide additional general principles on accounting changes so that each contracting officer could determine whether a cost impact is required.

Response: The Board has concluded that proposed changes fall under the definition of a required change. Because the CAS and GAAP definitions of operating revenue are essentially the same, the Board does not anticipate any material impact to the Government or contractors as a result of this change. The Board believes it would not be prudent to make an across-the-board determination that all future CAS/GAAP conformance efforts are required changes, and will continue to evaluate each individual regulatory action related to CAS/GAAP conformance and state its determination as part of the rulemaking. Leaving these determinations to individual contracting officers could cause unnecessary friction, confusion or inconsistency related to the treatment of CAS/GAAP conformance. However, as noted in final regulatory text the exemption only applies to current disclosed practices where a contractor is required to use the three-factor formula prescribed in CAS 403 for residual expenses, or where their current disclosed and compliant accounting practice includes revenue as a basis for allocating costs to cost objectives. Any change a contractor makes related to their current practice that would make a change to or from using revenue as a basis for allocation would be treated as a unilateral change and subject to the normal cost impact and resolution process.

C. *Final Rule.* Based on public comment and additional research conducted by the Board, the Board has concluded the definition of operating revenue in CAS and revenue in GAAP are essentially equivalent. The CAS 403 definition of operating revenue has become unnecessary to protect the Government's interests and, therefore, is deleted in its entirety to allow for reliance on revenue as reported in accordance with GAAP for CAS purposes. The Board has also concluded that properly disclosed accounting changes, if any, related to the elimination of the definition of operating revenue to rely on revenue as reported in accordance with GAAP ASC 606 is a required change as described at 48 CFR 9903.201–4(a), and exempt from the cost impact process.

These actions are consistent with the Board's guiding principles for conforming CAS to GAAP because it eliminates CAS content minimizing burden on contractors while protecting the interests of the Government. Furthermore, relying on GAAP for the definition of operating revenue in CAS 403 aligns with the guiding principles to rely on coverage in GAAP when it materially achieves uniformity and consistency in cost accounting without bias or prejudice to either party and protects the Government's interests.

Therefore, the Board is issuing a final rule that (i) modifies CAS 403 to rely on GAAP for revenue and (ii) exempts changes directly associated with conformance of Operating Revenue to revenue reported in accordance with GAAP from the contract price and cost adjustment requirements of part 9903. The final rule also removes the term ''operating'' in relation to revenue in CAS 403. The Board has concluded this change is necessary to avoid confusion and make clear that the definition of revenue in GAAP is consistent with ''operating revenue'' as historically used in CAS.

III. Lease accounting

A. Overview. Since the initial promulgations of CAS 414 and 417, changes have been made to GAAP related to lease accounting, creating confusion about which assets are included in the calculations of Facilities Capital Cost of Money (FCCOM). The classification of ''right-of-use'' (ROU) assets, formerly known as operating leases, as assets and liabilities, required clarification from the Board to avoid confusion or inconsistent treatment. In the NPRM, the Board proposed clarifications to the CAS definitions and handling of tangible and intangible assets to make clear that GAAP requirements to classify ''right-of-use'' assets on an entity's balance sheet should not be recognized as assets for the purpose of computing FCCOM in CAS 414 and CAS 417.

B. *Public comments.* The Board received five sets of public comments in response to the NPRM. Comments came from industry associations, consulting firms, and individuals. Three sets of these comments discussed the substance of the rule related to lease accounting.

Comment: All commenters supported the Board's intent to clarify which assets should be included in the calculations of FCCOM. However, one commentor noted confusion in terminology based on the proposed changes included in the NPRM. They asserted no changes are needed to the existing definitions of tangible capital asset in 48 CFR 9904.403–30(a)(5), 9904.404–30(a)(4), 9904.409–30(a)(3), 9904.414–30(a)(5), and 9904.417–30(a)(2). As a result, they recommended the Board limit the definition of ROU assets to intangible assets in 48 CFR 9904.414–30(a)(4) and 9904.417–30(a)(1). They are concerned that changes proposed in the NPRM could be construed as applying the financial accounting rules governing tangible capital assets to ROU assets acquired under finance leases. They noted that a ROU asset, by definition, is an intangible asset acquired in a lease. It is the right, obtained under a lease, to use the underlying asset. While a finance lease generally includes a transfer of ownership of the underlying asset, it is still considered an intangible asset until that transfer occurs. They noted that with the current intangible asset definition, there is no need to distinguish ROU assets acquired in finance leases from ROU assets acquired under operating leases. They suggested the Board could accomplish the desired outcome and avoid confusion by simply adding, ''[i]t includes right-of-use assets acquired under leases'' to the end of the existing CAS definition of intangible asset. They also suggested that if the Board adopts the approach of revising only the definition of intangible capital asset to address ROU assets, a conforming change to CAS 9904.403–

50(c)(1)(iii) would be needed to add the value of ROU assets acquired in finance leases to the three-factor formula.

Response: The Board appreciates the breath and careful consideration of unintended consequences by commentors. After consideration of the concerns raised and additional research, the Board concurs that the changes should be limited to the definition of intangible assets with the recommended conforming change to the three-factor formula.

Comment: Another commentor recommended the Board expand the scope of the NPRM to address International Financial Reporting Standards (IFRS) lease accounting requirements. They are concerned that foreign entities subject to IFRS will be subject to increased unallowable interest expense as a result of IFRS requirement to recognize interest expense as part of ROU asset lease payments. They acknowledge that foreign concerns are exempt from much of CAS, but note cost of money can be recovered under FAR 31.205–10. FAR 31.205–10(b)(1) requires CAS 414 be followed when cost of money is proposed and claimed. The requirement to treat all leases as finance (capital) leases under IFRS will result in contractors applying IFRS having unallowable interest and not allow the net book value of right-to-use leased assets to be included in the cost of money calculation. They recommended the Board provide for the recognition of interest for CAS purposes. They believe this will not only address the current issue faced by contractors applying IFRS, but it will also address any future changes made by the FASB as the GAAP and IFRS are brought into conformity with each other.

Response: The Board appreciates this comment and the underlying concerns raised. However, the Board does not consider them to be within the scope of this rulemaking and has not incorporated them into the final rule. The Congressional mandate and focus of the Board are on conformance of CAS with GAAP, not IFRS. In regards to concerns about potential future GAAP changes to achieve alignment with IFRS the Board has commitment to monitor future changes to GAAP and FAR to identify and evaluate their impact to CAS and revise CAS as necessary, through the rulemaking process (see 85 FR 15817 March 19, 2020).

Comment: One commentor asserted conformance efforts related to lease accounting should be treated as required and exempted from the cost impact process.

Response: As noted in the NPRM, the exemption contemplated by the Board was limited to the potential changes with conformance of the definition of Operating Revenue. The Board has not identified any instance where the clarifications provided to the treatment of ROU leases for CAS purposes would trigger any accounting practices changes by a contractor. The commentor did not dispute this or provide any example for the Board to consider. As such, having identified no cost accounting practice changes as a result of the treatment of ROU leases the exemption in the final rule is limited to conformance of the definition of Operating Revenue, and any changes a contractor initiates unilaterally related to asset accounting would continue to be subject to disclosure and the established cost impact process.

C. *Final Rule.* Based on public comment and additional research conducted by the Board, the Board has concluded that clarifications to CAS are necessary to avoid confusion or inconsistent treatment about which assets should be included in the calculations of FCCOM as a result of changes in GAAP related to lease accounting. Therefore, the Board is issuing a final rule clarifying which assets should be included in the calculations of FCCOM, and conforming clarifications related to the calculation of the three-factor formula allocation base. The final rule adopts language in the NPRM with additional clarification. The Final Rule limits the changes of definitions to only intangible assets in 48 CFR 9904.414–30(a)(4) and 9904.417–30(a)(1), and makes a conforming change in 48 CFR 9904.403–50(c)(1)(iii). The Final rule also adds language in Appendix A. of 9904.414, in the Instructions for Form CASB CMF to reflect these changes.

IV. Expected Impact of the Rule

The final rule is deregulatory in furtherance of 41 U.S.C. 1501(c), which requires the Board ensure that the cost accounting standards used by Federal contractors rely, to the maximum extent practicable, on commercial standards and accounting practices and systems. In addition, 41 U.S.C. 1501(c) requires the Board to conform CAS requirements, where practicable, to GAAP. The elimination of ''operating revenue'' as historically defined in CAS and the reliance of ''revenue'' reported in compliance with GAAP for CAS purposes reduces the regulatory footprint associated with CAS and places reliance on commercial accounting practices under GAAP. This change is expected to reduce burden for contractors, external auditors, and government auditors and oversight functions by reducing the need for duplicative compliance activity related to revenue calculations. The rule also clarifies CAS definitions to make clear that GAAP changes on lease accounting are not recognized for CAS purposes. This clarification will avoid unnecessary ambiguity, friction and disputes between the parties. These changes, both individually and in conjunction with the Board's ongoing broader CAS/GAAP conformance efforts and modernization of CAS programmatic requirements, are expected to simplify CAS administration and reduce barriers to entry for nontraditional contractors, including new mid-size entities who no longer qualify as small businesses. These actions should promote greater competition in federal contracting, as envisioned by the Senate Armed Services Committee in promoting CAS/GAAP conformance (S. Rept. 114–25 Section 811): ''The committee is concerned that the current cost accounting standards favor incumbent defense contractors and limit competition by serving as a barrier to participation by non-traditional, small business, and commercial contractors. To level the competitive playing field to access new sources of innovation it is in the government's interest to adopt more commercial ways of contracting, accounting, and oversight''.

V. Regulatory Flexibility Act

CAS Board rules do not impact small entities within the meaning of the Regulatory Flexibility Act 5 U.S.C. 601–612. Contracts and subcontracts with small business concerns are exempted from all CAS requirements.

VI. Executive Orders 12866, 13563 and 14192

Executive Orders (E.O.s) 12866 and 13563 direct agencies to assess all costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits (including potential economic, environmental, public health and safety effects, distributive impacts, and equity). E.O. 13563 emphasizes the importance of quantifying both costs and benefits, of reducing costs, of harmonizing rules, and of promoting flexibility. This is a significant regulatory action under E.O. 12866, Regulatory Planning and Review, dated September 30, 1993. This rule is a deregulatory under E.O. 14192 based on the discussion in the ''Expected Impact of the Rule'' section.

VII. Paperwork Reduction Act

The Paperwork Reduction Act, Public Law 96–511, does not apply to this rule, because this rule imposes no paperwork burden on offerors, affected contractors and subcontractors, or members of the public which requires the approval of OMB under 44 U.S U.S.C. 3501, *et seq*.

List of Subjects in 48 CFR Parts 9903 and 9904

Government procurement, Cost accounting standards.

Mathew Blum,

Acting Administrator, Office of Federal Procurement Policy, and Acting Chair, Cost Accounting Standards Board.

For the reasons set forth in the preamble, the Office of Federal Procurement Policy amends 48 CFR parts 9903 and 9904 as set forth below:

PART 9903—CONTRACT COVERAGE

■ 1. The authority citation for part 9903 continues to read as follows:

Authority: Public Law 111–350, 124 Stat. 3677, 41 U.S.C. 1502.

■ 2. Add section 9903.201–9 to read as follows:

§ 9903.201–9 Treatment of certain compliant cost accounting practice changes related to conformance of CAS to GAAP.

(a) Conformance of CAS Operating Revenue to GAAP Revenue. The contract price and cost adjustment requirements of part 9903 are not applicable to changes directly associated with conformance of operating revenue to revenue reported in accordance with GAAP. This exemption only applies to current disclosed practices where a contractor is required to use the three-factor formula prescribed in CAS 403 for residual expenses, or where their current disclosed and compliant accounting practice includes revenue as a basis for allocating costs to cost objectives. Any change a contractor makes related to their current practice that would make a change to or from using revenue as a basis for allocation would be treated as a unilateral change and subject to the normal cost impact and resolution process.

(b) [Reserved].

§ 9903.301 [Amended]

■ 3. Section 9903.301 is amended in paragraph (a) by removing the definition ''operating revenue''.

PART 9904—COST ACCOUNTING STANDARDS

■ 4. The authority citation for part 9904 continues to read as follows:

Authority: Pub. L. 100–679, 102 Stat. 4056, 41 U.S.C. 422.

§ 9904.403–30 [Amended]

■ 5. Section 9904.403–30 is amended by removing and reserving paragraph (a)(3).

§ 9904.403–40 [Amended]

■ 6. Section 9904.403–40 is amended by removing the word ''operating'' in paragraph (c)(2) wherever it appears.

■ 7. Section 9904.403–50 is amended by revising paragraphs (c)(1)(ii) and (c)(1)(iii) to read as follows:

§ 9904.403–50 Techniques for application.

* * * * *

(c) * * *

(1) * * *

(ii) The percentage of the segment's revenue to the total revenue of all segments. For this purpose, the method used for determining revenue for financial accounting shall be used. The revenue, however, of any segment shall include amounts charged to other segments and shall be reduced by amounts charged by other segments for purchases.

(iii) The percentage of the average net book value of the sum of the segment's tangible capital assets, plus right-of-use assets acquired in finance leases, plus inventories to the total average net book value of such assets of all segments. Property held primarily for leasing to others shall be excluded from the computation. The average net book value shall be the average of the net book value at the beginning of the organization's fiscal year and the net book value at the end of the year.

* * * * *

■ 8. Section 9904.414–30 is amended by revising paragraph (a)(4) to read as follows:

§ 9904.414–30 Definitions.

(a) * * *

(4) *Intangible capital asset* means an asset that has no physical substance, has more than minimal value, and is expected to be held by an enterprise for continued use or possession beyond the current accounting period for the benefits it yields. It includes right-of-use assets acquired under leases.

* * * * *

■ 9. Appendix A to 9904.414 is amended by revising the paragraph under the undesignated center heading ''Recorded, Leased Property, Corporate,'' to read as follows:

Appendix A to 9904.414—Instructions for Form CASB CMF

* * * * *

Recorded, Leased Property, Corporate

The net book value of facilities capital items in this column shall represent the average balances outstanding during the cost accounting period. This applies both to items that are subject to periodic depreciation or amortization and also to such items as land that are not subject to periodic write-offs. Unless there is a major fluctuation, it is adequate to ascertain the net book value of these assets at the beginning and end of each cost accounting period, and to compute an average of the beginning and ending values. ''Recorded'' facilities are the capital items owned by the contractor, carried on the books of the business unit, and used in its regular business activity. ''Leased property'' is the capitalized value of leases for which constructive costs of ownership are allowed in lieu of rental costs under Government procurement regulations, including right-of-use assets acquired in a finance lease, but excluding right-of-use assets acquired in an operating lease. Corporate or group facilities are the business unit's allocable share of corporate-owned and leased facilities. The net book value of items of facilities capital which are held or controlled by the home office shall be allocated to the business unit on a basis consistent with the home office expense allocation.

* * * * *

■ 10. Section 9904.417–30 is amended by revising paragraph (a)(1) to read as follows:

§ 9904.417–30 Definitions.

(a) * * *

(1) *Intangible capital asset* means an asset that has no physical substance, has more than minimal value, and is expected to be held by an enterprise for continued use or possession beyond the current accounting period for the benefits it yields. It includes right-of-use assets acquired under leases.

* * * * *

[FR Doc. 2025–17480 Filed 9–10–25; 8:45 am]

BILLING CODE 3110–01–P

Proposed Rules

Federal Register
Vol. 90, No. 174
Thursday, September 11, 2025

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

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

7 CFR 51

[Doc. No. AMS–SC–24–0068]

Revising U.S. Standards for Grades of Lemons

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Notification and request for comments.

SUMMARY: The Agricultural Marketing Service (AMS) of the Department of Agriculture (USDA) proposes to revise the U.S. Standards for Grades of Lemons by adding the term ''seedless lemons.'' In addition, AMS proposes to incorporate marking requirements for lemons meeting the seedless definition.

DATES: Comments must be submitted on or before November 10, 2025.

ADDRESSES: Interested persons are invited to submit comments to the Standardization Branch, Specialty Crops Inspection Division, Specialty Crops Program, Agricultural Marketing Service, U.S. Department of Agriculture, National Training and Development Center; 100 Riverside Parkway, Suite 101; Fredericksburg, Virginia 22406; fax: (540) 361–1199, or via the internet at *https://www.regulations.gov.* Comments should reference the docket number and the date and page numbers of this issue of the **Federal Register**. All comments submitted in response to this notification will become a part of the public record and be made available to the public, including any personal information submitted with your comment, at *https://www.regulations.gov.*

FOR FURTHER INFORMATION CONTACT: Andrew Buss, at the address above, by phone (231) 260–5913; fax (540) 361–1199; or email at *andrew.buss@usda.gov.* Copies of the proposed U.S. Standards for Grades of Lemons are available at *http://www.regulations.gov.* Copies of the current U.S. Standards for Grades of Lemons are available at *https://www.ams.usda.gov/grades-standards/fruits.*

SUPPLEMENTARY INFORMATION: Section 203(c) of the Agricultural Marketing Act of 1946 (7 U.S.C. 1621–1627), as amended, directs and authorizes the Secretary of Agriculture ''to develop and improve standards of quality, condition, quantity, grade, and packaging, and recommend and demonstrate such standards in order to encourage uniformity and consistency in commercial practices.''

AMS is committed to carrying out this authority in a manner that facilitates the marketing of agricultural commodities and makes copies of official standards available upon request. The United States Standards for Grades of Fruits and Vegetables that no longer appear in the Code of Federal Regulations but are maintained by USDA, AMS, Specialty Crops Program at the following website: *http://www.ams.usda.gov.* AMS is proposing revisions to the U.S. Standards for Grades of Lemons using the procedures that appear in part 36 of title 7 of the Code of Federal Regulations (7 CFR part 36).

Background

On March 25, 2024, California Citrus Mutual, a voluntary non-profit trade association for California's citrus growers, petitioned the USDA to revise the lemon standard to incorporate a seedless lemon definition and marking requirements. The petitioner represents 95 percent of the lemon producers nationwide. In its petition, California Citrus Mutual explained that advancements in the domestic lemon industry led to the development of seedless lemon varietals. AMS worked closely with California Citrus Mutual throughout the development of the proposed revisions, soliciting their comments and suggestions about the standards through discussion drafts and presentations. These proposed revisions seek to establish a definition for seedless lemons and marking requirements to maintain consistency in the industry.

AMS is proposing to revise the U.S. Standards for Grades of Lemons to add a definition for the term ''seedless lemons'' stating that ''when marked 'seedless,' a 100-count composite sample shall have not more than 6 fruit (or 6 percent) containing seeds (irrespective of number or development per fruit). Seeds would include fully developed and undeveloped seeds (or pips).'' Written this way, any undeveloped seeds would be counted against that piece of fruit. The percentage of lemons with seeds is based on the number of fruit with seeds, rather than the number of seeds within a lemon. This new definition would not be applied to affect grade. In addition, marking requirements for lemons meeting this seedless definition would be incorporated into the standard and would also not affect grade. The marking requirements would require that ''when lots are marked 'seedless,' the term 'seedless' shall be legibly marked on at least 95 percent of the containers, including consumer units.'' These proposed marking requirements seek to provide buyers and consumers with clear information on the product being bought and sold between parties. Without marking requirements, it would be difficult to differentiate a lot of seedless lemons from a lot of lemons with seeds to know when the proposed definition would apply.

The proposed revisions to these grade standards would provide a common language for trade, better reflect the current marketing of fruits and vegetables, and provide uniformity on the buying and selling of seedless lemons.

A 60-day period is provided for interested persons to submit comments on the proposed grade standards. Copies of the proposed revised standards are available on the internet at *http://www.regulations.gov.* After the 60-day comment period, AMS would proceed in accordance with 7 CFR 36.3(a)(1–3).

Authority: 7 U.S.C. 1621–1627.

Erin Morris,

Administrator, Agricultural Marketing Service.

[FR Doc. 2025–17481 Filed 9–10–25; 8:45 am]

BILLING CODE 3410–02–P

DEPARTMENT OF JUSTICE

8 CFR Parts 1003, 1103, 1208, 1211, 1212, 1215, 1216, and 1235

21 CFR Chapter II

27 CFR Parts 478 and 479

28 CFR Parts 20, 506, 545, 549, 552, 570, 571 and 572

[Docket No. OAG 190; AG ORDER No. 6393–2025]

RINs 1110–AA24, 1117–AB60, 1117–AB74, 1117–AB75, 1117–AB84, 1120–AB10, 1120–AB10, 1120–AB56, 1120–AB61, 1120–AB67, 1120–AB69, 1120–AB78, 1125–AA52, 1125–AA71, 1140–AA23, 1140–AA47

Department of Justice; Withdrawal of Rulemaking Actions

AGENCY: Office of the Attorney General, Department of Justice.

ACTION: Withdrawal of rulemaking actions.

SUMMARY: The Department of Justice (''DOJ'' or ''the Department'') is withdrawing 16 Notices of Proposed Rulemaking (''NPRMs''), Advance Notices of Proposed Rulemaking (''ANPRMs''), and Supplemental Notices of Proposed Rulemaking (''SNPRMs'') as well as 38 other previously announced regulatory actions. The Department is withdrawing these actions as part of the Federal Government's deregulatory initiative and because of ongoing assessments of agency needs, priorities, and objectives.

DATES: As of September 11, 2025, the NPRMs, ANPRMs, SNPRMs, and other previously announced rulemakings listed below in Table 1 and Table 2 are withdrawn.

FOR FURTHER INFORMATION CONTACT: Christina Greer, Senior Counsel, Office of Legal Policy, Department of Justice, Room 4254, 950 Pennsylvania Avenue NW, Washington, DC 20530; telephone: (202) 514–5739 (not a toll-free call).

SUPPLEMENTARY INFORMATION: On January 31, 2025, President Donald J. Trump issued an Executive Order entitled ''Unleashing Prosperity Through Deregulation,'' E.O. 14192, 90 FR 9065 (Jan. 31, 2025), ''to promote prudent financial management and alleviate unnecessary regulatory burdens.'' *Id.* at 9065. He stated that ''[i]t is the policy of the executive branch to be prudent and financially responsible in the expenditure of funds, from both public and private sources, and to alleviate unnecessary regulatory burdens placed on the American people.'' *Id.* E.O. 14192 imposes a regulatory cap for fiscal year 2025 and instructs the heads of all agencies ''to ensure that the total incremental cost of all new regulations'' issued during the year is ''significantly less than zero.'' *Id.* Additionally, any new incremental costs must ''be offset by the elimination of existing costs associated with at least 10 prior regulations.'' *Id.*

Since President Trump's announcement of a deregulatory effort through E.O. 14192, the Department has carefully reviewed its pending rulemakings and has identified actions that do not align with current agency needs, priorities, and objectives, including the best means of addressing some or all of the issues covered by these actions. Some of the actions so identified have been published in the **Federal Register** as NPRMs, ANPRMs, or SNPRMs. Other actions have been included in one or more editions of the *Unified Agenda of Regulatory and Deregulatory Actions* (the ''*Unified Agenda*'') [1] but have not resulted in any publications in the **Federal Register**.

Accordingly, the Department is withdrawing the 16 published NPRMs, ANPRMs, and SNPRMs listed in Table 1, for which the Department plans no further action. Similarly, the Department is also withdrawing the 38 projected rulemakings listed in Table 2 previously included in the *Unified Agenda* that the Department no longer intends to pursue.

TABLE 1—PREVIOUSLY PUBLISHED NPRMS AND ANPRMS BEING WITHDRAWN

RIN	DOJ component	Citation
1110–AA24	FBI	Carriage of Concealed Weapons Pursuant to Public Law 108–277; the Law Enforcement Officers Safety Act of 2003, 72 FR 2817 (Jan. 23, 2007) (NPRM).
1117–AB60	DEA	Providing Controlled Substances to Ocean Vessels, Aircraft, and Other Entities, 87 FR 42662 (July 18, 2022) (ANPRM).
1117–AB74	DEA	Regulation of Telepharmacy Practice, 86 FR 64096 (Nov. 17, 2021) (ANPRM).
1117–AB75	DEA	Schedules of Controlled Substances; Exempted Prescription Products, 87 FR 21588 (Apr. 12, 2022) (NPRM).
1117–AB84	DEA	Controlled Substance Destruction Alternatives to Incineration, 88 FR 74379 (Oct. 31, 2023) (ANPRM).
1120–AB10	BOP	Compassionate Release, 81 FR 36485 (June 7, 2016) (NPRM).
1120–AB10	BOP	Reduction in Sentence for Medical Reasons, 71 FR 76619 (Dec. 21, 2006) (NPRM).
1120–AB56	BOP	Inmate Commissary Account Deposit Procedures, 80 FR 38658 (July 7, 2015) (NPRM).
1120–AB61	BOP	Pre-Release Community Confinement, 76 FR 58197 (Sept. 20, 2011) (NPRM).
1120–AB67	BOP	Use of Chemical Agents or Other Less-Than-Lethal Force in Immediate Use of Force Situations, 81 FR 10153 (Feb. 29, 2016) (NPRM).
1120–AB69	BOP	Infectious Disease Management: Voluntary and Involuntary Testing, 80 FR 73153 (Nov. 24, 2015) (NPRM).
1120–AB78	BOP	Inmate Financial Responsibility Program: Procedures, 88 FR 1331 (Jan. 10, 2023) (NPRM); Inmate Financial Responsibility Program: Procedures, 89 FR 102022 (Dec. 17, 2024) (SNPRM).
1125–AA52	EOIR	Jurisdiction and Venue in Removal Proceedings, 72 FR 14494 (Mar. 28, 2007) (NPRM).
1125–AA71	EOIR	Retrospective Regulatory Review Under E.O. 13563, 77 FR 59567 (Sept. 28, 2012) (ANPRM).
1140–AA23	ATF	Machine Guns, Destructive Devices, and Certain Other Firearms; Amended Definition of ''Pistol'' (2003R–33P), 70 FR 17624 (Apr. 7, 2005) (NPRM).
1140–AA47	ATF	Amended Definition of ''Adjudicated as a Mental Defective'' and ''Committed to a Mental Institution'' (2010R–21P), 79 FR 774 (Jan. 7, 2014) (NPRM).

[1] As of the date of drafting this FRN, the most recently issued edition of the Unified Agenda of Regulatory and Deregulatory Actions was the Fall 2024 edition, which was withdrawn from the **Federal Register** but remains available on the website of the Office of Management and Budget's Office of Information and Regulatory Affairs at *https://www.reginfo.gov/public/do/eAgendaHistory.* The Department's entries in the Fall 2024 edition may be viewed at the following addresses: (1) the current actions are available at *https://perma.cc/JT2M-KZXE;* (2) the long-term actions are available at *https://perma.cc/Y9A2-H2DZ;* and (3) the inactive actions are available at *https://perma.cc/W5Y4-7UW6.*

TABLE 2—RULEMAKINGS INCLUDED IN THE UNIFIED AGENDA BUT NOT PUBLISHED IN THE FEDERAL REGISTER

RIN	DOJ component	Title
1105–AB12	EOUST	Procedures for Suspension and Removal of Panel Trustees and Standing Trustees.
1105–AB65	OLP	Ensuring Fairness and Consistency in the Administration of Sentences in Federal Capital Cases.
1105–AB74	CRM	Asset Forfeiture Program Victim, Owner, and Lienholder Remission and Mitigation.
1105–AB76	PARDON	Office of the Pardon Attorney; Rules Governing Petitions for Executive Clemency, Notification of Denial of Clemency or Case Closure.
1105–AB77	OLP	Floodplain Management and Wetland Protection.
1110–AA38	FBI	Regulatory Updates to Implement Policy—National Instant Criminal Background Check System (NICS).
1117–AB50	DEA	Amendments to the Drug Enforcement Administration Hearing Regulations.
1117–AB52	DEA	Principal Place of Business or Professional Practice.
1117–AB59	DEA	Electronic Submission of DEA Form 41 (Registrant Record of Controlled Substances Destroyed).
1117–AB63	DEA	Termination of Registration Upon Discontinuation of Business or Change of Ownership.
1117–AB65	DEA	Disaster Registration Emergency Authorities.
1117–AB67	DEA	Campus Registration.
1117–AB68	DEA	Employment Bar and New Employment Waivers.
1117–AB69	DEA	Operation of Automated Dispensing Systems at Long Term Care Facilities by Hospital/Clinic Pharmacies.
1117–AB71	DEA	Medical Missions.
1117–AB76	DEA	Amending Regulations to Separate K–9 Handlers From the Researcher Category.
1117–AB77	DEA	Analytical Labs and Hemp.
1117–AB83	DEA	Medical Marijuana and Cannabidiol Research Expansion.
1117–AB86	DEA	Revision of Application for Manufacturing Quota.
1121–AA90	OJP	Updating Appendix D to 28 CFR Part 61, Office of Justice Programs Procedures Relating to Implementation of the National Environmental Policy Act.
1125–AA63	EOIR	Application of the Serious Nonpolitical Crime Bar to Asylum and Withholding of Removal for Recruitment or Use of Child Soldiers.
1125–AA73	EOIR	Procedures for Cases Involving Mentally Incompetent Aliens.
1125–AA82	EOIR	Civil Enforcement Actions for Document Fraud Under Section 274C of the Immigration and Nationality Act; Authority of EOIR's Anti-Fraud Officer.
1125–AB05	EOIR	Procedures to Commence Proceedings Before the Immigration Court.
1125–AB12	EOIR	Procedures for Asylum and Bars to Asylum Eligibility.
1125–AB13	EOIR	Clarifying Definitions and Analyses for Fair and Efficient Asylum and Other Protection Determinations.
1125–AB16	EOIR	Executive Office for Immigration Review; Office of Legal Access Programs.
1125–AB17	EOIR	EOIR Organization; EOIR Director's Authority.
1125–AB19	EOIR	Executive Office for Immigration Review; Fee Review.
1125–AB22	EOIR	Hearing Requirements and Application Procedures for Asylum and Related Protection.
1125–AB24	EOIR	Inadmissibility on Public Charge Grounds.
1125–AB25	EOIR	Asylum Eligibility; Persecutor Bar.
1125–AB27	EOIR	Clarifying and Revising Custody Determination Procedures for Noncitizens Subject to Discretionary Detention (INA 236(a)/8 U.S.C. 1226 detention).
1125–AB31	EOIR	Consideration of Non-LPR Cancellation of Removal Applications.
1140–AA36	ATF	Commerce in Explosives—Relief From Disabilities.
1140–AA48	ATF	Nonimmigrant Alien Waiver (NIA Rule).
1190–AA76	CRT	Nondiscrimination on the Basis of Disability by State and Local Governments and Places of Public Accommodation; Equipment and Furniture.
1190–AA77	CRT	Nondiscrimination on the Basis of Disability by State and Local Governments; Public Right-of-Way.

Dated: September 8, 2025.

Pamela Bondi,

Attorney General.

[FR Doc. 2025–17526 Filed 9–10–25; 8:45 am]

BILLING CODE P

COMMODITY FUTURES TRADING COMMISSION

17 CFR Parts 1 and 23

RIN 3038–AF23

Operational Resilience Framework for Futures Commission Merchants, Swap Dealers, and Major Swap Participants; Withdrawal of Proposed Regulatory Action

AGENCY: Commodity Futures Trading Commission.

ACTION: Notice of withdrawal of proposed rules.

SUMMARY: The Commodity Futures Trading Commission (''Commission'') is formally withdrawing a notice of proposed rulemaking published on January 24, 2024, titled ''Operational Resilience Framework for Futures Commission Merchants, Swap Dealers, and Major Swap Participants.'' The Commission does not intend to issue final rules with respect to this proposal. If the Commission decides to pursue future regulatory action in this area, it will issue new proposed rules.

DATES: The Commission is withdrawing the proposed rules published at 89 FR 4706 (January 24, 2024) as of September 8, 2025.

FOR FURTHER INFORMATION CONTACT: Thomas Smith, Acting Director, at 202–418–5495 or *tsmith@cftc.gov;* Frank Fisanich, Deputy Director, at 202–418–5407 or *ffisanish@cftc.gov;* Fern Simmons, Senior Special Counsel, at 202–418–5901 or *fsimmons@cftc.gov;* Dina Moussa, Special Counsel, at 202–418–5696 or *dmoussa@cftc.gov;* or Matthew Boylan, Special Counsel, at 202–418–8257 or *mboylan@cftc.gov,* Market Participants Division, Commodity Futures Trading Commission, Three Lafayette Centre, 1155 21st Street NW, Washington, DC 20581.

SUPPLEMENTARY INFORMATION:

Background

On January 24, 2024, the Commission published a notice of proposed

rulemaking in the **Federal Register** proposing new Commission regulation 1.13 under the Commodity Exchange Act, as well as amendments to existing Commission regulation 23.603 under the Commodity Exchange Act.[1] The proposed rules would have required futures commission merchants, swap dealers, and major swap participants to establish and implement an operational resilience framework comprised of an information and technology security program, a third-party relationship program, and a business continuity and disaster recovery plan. The proposed rules would have also imposed requirements related to governance, training, testing, recordkeeping, and incident notifications in support of the operational resilience framework. On February 26, 2024, the Commission published a release in the **Federal Register** which extended the comment period for the proposal to April 1, 2024.[2]

Withdrawal of Proposed Rules

The Commission is withdrawing the proposal to reconsider how the proposed rules work in practice with the operational resilience rules of other regulators, including both domestic and foreign. Many swap dealers and futures commission merchants are part of banking organizations that have already implemented comprehensive enterprise-wide operational resilience programs pursuant to U.S. or non-U.S. regulations. Thus, the Commission no longer intends to issue final rules with respect to the proposal. If the Commission decides to pursue future regulatory action in this area, it will do so by publishing new proposed rules or other issuance consistent with the requirements of the Administrative Procedure Act, as applicable.

Executive Order 12866

The Office of Management and Budget has determined that this action is not a significant regulatory action as defined in Executive Order 12866, as amended, and therefore it was not subject to Executive Order 12866 review.

Issued in Washington, DC, on September 9, 2025, by the Commission.

Christopher Kirkpatrick,

Secretary of the Commission.

Note: The following appendix will not appear in the Code of Federal Regulations.

[1] Operational Resilience Framework for Futures Commission Merchants, Swap Dealers, and Major Swap Participants, 89 FR 4706 (Jan. 24, 2024).

[2] 89 FR 14007 (Feb. 26, 2024).

Appendix to Operational Resilience Framework for Futures Commission Merchants, Swap Dealers, and Major Swap Participants; Withdrawal of Proposed Regulatory Action—Commission Voting Summary

On this matter, Acting Chairman Pham voted in the affirmative. No Commissioner voted in the negative.

[FR Doc. 2025–17555 Filed 9–10–25; 8:45 am]

BILLING CODE 6351–01–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket Number USCG–2025–0643]

RIN 1625–AA00

Safety Zone; Beltway 8 Bridge Construction, Houston Ship Channel, Houston, TX

AGENCY: Coast Guard, DHS.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Coast Guard is proposing to establish a temporary safety zone for certain navigable waters of the Houston Ship Channel around the Beltway 8 Bridge (Sam Houston Tollway Ship Channel Bridge), during bridge construction and demolition activities. The temporary safety zone is needed to protect personnel, vessels, and the marine environment from potential hazards created by constructing a new bridge. Entry of vessels or persons into this zone is prohibited unless specifically authorized by the Captain of the Port, Sector Houston-Galveston. We invite your comments on this proposed rulemaking.

DATES: Comments and related material must be received by the Coast Guard on or before October 14, 2025.

ADDRESSES: You may submit comments identified by docket number USCG–2025–0643 using the Federal Docket Management System at *https://www.regulations.gov.* See the ''Public Participation and Request for Comments'' portion of the **SUPPLEMENTARY INFORMATION** section for further instructions on submitting comments. This notice of proposed rulemaking with its plain-language, 100-word-or-less proposed rule summary will be available in this same docket.

FOR FURTHER INFORMATION CONTACT: If you have questions about this proposed rulemaking, call or email Marine Science Technician Chief Petty Officer Anthony W. Booth, Sector Houston-Galveston Waterway Management Division, Coast Guard; Telephone (713) 398–5823, Email *houstonwwm@uscg.mil.*

SUPPLEMENTARY INFORMATION:

I. Table of Abbreviations

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

II. Background, Purpose, and Legal Basis

On July 24, 2025, construction of the new Beltway 8 Bridge (Sam Houston Tollway Ship Channel Bridge) started over the navigable waters of the Houston Ship Channel. The Coast Guard previously published a short-term temporary safety zone to cover the initial phase of this construction, which covers only a small area along the north and south shorelines around the bridge (90 FR 35438, July 28, 2025). That safety zone expires on October 22, 2025, and a long-term safety zone is necessary to provide for safety during the remainder of the construction and demolition project. The Coast Guard is proposing this rulemaking under authority in 46 U.S.C. 70034.

The construction of the new Southbound and Northbound lanes, and demolition of the old Beltway 8 Bridge (Sam Houston Tollway Ship Channel Bridge) are estimated to be complete around March 2030. The Captain of the Port Sector Houston-Galveston (COTP) has determined that potential hazards associated with construction over the ship channel will be a safety concern for anyone transiting under the bridge. Hazards associated with this project include falling construction equipment, materials or other debris. The purpose of this rulemaking is to ensure the safety of vessels and the navigable waters during the construction of the new Beltway 8 Bridge (Sam Houston Tollway Ship Channel Bridge).

While this zone will be in effect for several years, the Coast Guard anticipates that the main navigable channel of the Houston Ship Channel will remain open for the majority of the time, and impact on vessel navigation will be minimal. During the times of overhead construction outside of the federal channel, vessels will be allowed to transit under the bridge only within the federal channel. The channel will be closed for a short period when the construction or demolition is actively occurring over the main federal channel, and these closures will be coordinated

between stakeholders, the construction contractor and Sector Houston-Galveston. The Coast Guard will work closely with the project managers to ensure the public and waterway users are notified well in advance of any closure that will prohibit vessel navigation on the main channel.

III. Discussion of Proposed Rule

The COTP is proposing to establish a temporary safety zone from October 22, 2025 to March 1, 2030. The temporary safety zone would cover all navigable waters within the following four points on the north and south shore of the Houston Ship Channel around the Beltway 8 Bridge (Sam Houston Tollway Ship Channel Bridge) overhead construction: from the southeast corner at Point 1 at 29°44.033′ N 95°8.733′ W; thence west to Point 2 at 29°44.100′ N 95°8.833′ W; thence north to Point 3 at 29°44.267′ N 95°8.817′ W; thence east to Point 4 at 29°44.267′ N 95°8.717′ W; thence returning south to Point 1.

The duration of the zone is intended to ensure the safety of vessels and these navigable waters from hazards associated with bridge construction and demolition. While this area spans the width of the Houston Ship Channel, the safety zone will only be enforced in certain portions within this area where overhead construction is occurring. For most of the time this safety zone is effective, vessels will be permitted to transit through this area using the main navigation channel under the bridge. Vessel traffic will not be allowed to transit underneath where overhead construction is actively taking place, and small vessels will not be allowed to transit under the bridge outside of the main federal channel during construction. Vessel traffic on the main federal channel under the center of the bridge will be closed for a short period when the construction is actively occurring over this area. Closures will be coordinated between stakeholders, the construction contractor and Sector Houston-Galveston. No vessel or person would be permitted to enter the temporary safety zone without obtaining permission from the COTP or a designated representative. The regulatory text we are proposing appears at the end of this document.

IV. Regulatory Analyses

We developed this proposed rule after considering numerous statutes and Executive orders related to rulemaking. Below we summarize our analyses based on a number of these statutes and Executive orders.

A. Impact on Small Entities

The Regulatory Flexibility Act of 1980, 5 U.S.C. 601–612, as amended, requires Federal agencies to consider the potential impact of regulations on small entities during rulemaking. The term ''small entities'' comprises small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000. The Coast Guard certifies under 5 U.S.C. 605(b) that this proposed rule would not have a significant economic impact on a substantial number of small entities for the following reasons. During the times of overhead construction outside of the federal channel, vessels will be allowed to transit under the bridge only within the federal channel. The channel will be closed for a short period when the construction or demolition is actively occurring over the main federal channel, and these closures will be coordinated between stakeholders, the construction contractor and Sector Houston-Galveston. The Coast Guard will work closely with the project managers to ensure the public and waterway users are notified well in advance of any closure that will prohibit vessel navigation on the main channel. While this zone will be in effect for several years, the Coast Guard (CG) anticipates that the main navigable channel will remain open for the majority of the effective period.

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

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104–121), we want to assist small entities in understanding this proposed rule. If the proposed rule would affect your small business, organization, or governmental jurisdiction and you have questions concerning its provisions or options for compliance, please call or email the person listed in the **FOR FURTHER INFORMATION CONTACT** section. The Coast Guard will not retaliate against small entities that question or complain about this proposed rule or any policy or action of the Coast Guard.

B. Collection of Information

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

C. Federalism and Indian Tribal Governments

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

Also, this proposed rule does not have tribal implications under Executive Order 13175 (Consultation and Coordination with Indian Tribal Governments) because it would not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes. If you believe this proposed rule has implications for federalism or Indian tribes, please call or email the person listed in the **FOR FURTHER INFORMATION CONTACT** section.

D. Unfunded Mandates Reform Act

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

E. Environment

We have analyzed this proposed rule under Department of Homeland Security Directive 023–01, Rev. 1, associated implementing instructions, and Environmental Planning COMDTINST 5090.1 (series), which guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (42 U.S.C. 4321–4370f), and have made a preliminary determination that this action is one of a category of actions that do not individually or cumulatively have a significant effect on the human environment. This proposed rule involves a temporary safety zone within four points on the north and

south shore crossing the Houston Ship Channel around the Beltway 8 Bridge (Sam Houston Tollway Ship Channel Bridge) for the construction of the Southbound, Northbound lanes and demolition of the old Beltway 8 Bridge (Sam Houston Tollway Ship Channel Bridge) will be completed March 2030. While this zone will be in effect for several years, the Coast Guard (CG) anticipates that the main navigable channel will remain open for the majority of the effective period. Normally such actions are categorically excluded from further review under paragraph L60(a) of Appendix A, Table 1 of DHS Instruction Manual 023–01–001–01, Rev. 1. A preliminary Record of Environmental Consideration supporting this determination is available in the docket. For instructions on locating the docket, see the **ADDRESSES** section of this preamble. We seek any comments or information that may lead to the discovery of a significant environmental impact from this proposed rule.

V. Public Participation and Request for Comments

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

Submitting comments. We encourage you to submit comments through the Federal Docket Management System at *https://www.regulations.gov.* To do so, go to *https://www.regulations.gov,* type USCG–2025–0643 in the search box and click ''Search.'' Next, look for this document in the Search Results column, and click on it. Then click on the Comment option. If you cannot submit your material by using *https://www.regulations.gov,* call or email the person in the **FOR FURTHER INFORMATION CONTACT** section of this proposed rule for alternate instructions.

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

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

List of Subjects in 33 CFR Part 165

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

For the reasons discussed in the preamble, the Coast Guard is proposing to amend 33 CFR part 165 as follows:

PART 165—REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREAS

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

Authority: 46 U.S.C. 70034, 70051, 70124; 33 CFR 1.05–1, 6.04–1, 6.04–6, and 160.5; Department of Homeland Security Delegation No. 00170.1, Revision No. 1.4.

■ 2. Add § 165.T08–0643 to read as follows:

§ 165.T08–0643 Safety Zone; Beltway 8 Bridge Construction, Houston Ship Channel, Houston, TX.

(a) *Location.* The following area is a safety zone: All navigable waters within the area encompassed by a line connecting the following points on the north and south shore of the Houston Ship Channel around the Beltway 8 Bridge (Sam Houston Tollway Ship Channel Bridge): Point 1 is the southeast corner at 29°44.033′ N 95°8.733′ W; thence west to Point 2 at 29°44.100′ N 95°8.833′ W; thence north to Point 3 at 29°44.267′ N 95°8.817′ W; thence east to Point 4 at 29°44.267′ N 95°8.717′ W; thence south returning to Point 1.

(b) *Definition.* As used in this section, *designated representative* means Coast Guard Patrol Commanders, including Coast Guard coxswains, petty officers, and other officers operating Coast Guard vessels, and Federal, state, and local officers designated by or assisting the Captain of the Port Houston-Galveston (COTP) in the enforcement of the safety zone.

(c) *Regulations.* (1) Under the general safety zone regulations in subpart C of this part, you may not enter the safety zone described in paragraph (a) of this section while overhead bridge construction or demolition activities are occurring, unless authorized by the COTP or a designated representative.

(2) Persons or vessels seeking to enter the safety zone must request permission from the COTP on VHF–FM channel 16 or by telephone at 866–539–8114. Those in the safety zone must comply with all lawful orders or directions given to them by the COTP or the COTP's designated representative.

(d) *Enforcement period.* The zone will be effective until the project ends, estimated completion date of MARCH 01, 2030. That date should include some margin for error in case of delays. Specific enforcement times and areas within the zone will depend on construction or demolition activities, and the CG will provide advance notice to the public through BNMs, LNMs, and the VTS.

Dated: September 3, 2025.

Nicole D. Rodriguez,

Captain, U.S. Coast Guard, Captain of the Port Houston-Galveston, Texas.

[FR Doc. 2025–17504 Filed 9–10–25; 8:45 am]

BILLING CODE 9110–04–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R09–OAR–2025–0458; FRL–12915–01–R9]

Air Plan Revisions; Arizona; Maricopa County Air Quality Department; Particulate Matter; Incinerators, Burn-Off Ovens, and Crematories

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The Environmental Protection Agency (EPA) is proposing an approval of revisions to the Maricopa County Air Quality Department (MCAQD) portion of the Arizona State Implementation Plan (SIP). These revisions concern emissions of particulate matter from incinerators, burn-off ovens, and crematories. We are proposing to approve revisions to a local rule that regulates these emissions sources 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 October 14, 2025.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA–R09–OAR–2025–0458 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: Eugene Chen, EPA Region IX, 75 Hawthorne St., San Francisco, CA 94105; telephone number: (415) 947–4304; email address: *chen.eugene@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 did the State submit?

On December 23, 2024, the Arizona Department of Environmental Quality (ADEQ) submitted a SIP revision for the MCAQD portion of the Arizona SIP (''2024 SIP submittal''). The 2024 SIP submittal requests that the EPA approve MCAQD Rule 313—Incinerators, Burn-Off Ovens, and Crematories, revised December 11, 2024 (''Rule 313''). Additionally, the 2024 SIP submittal requests that the requirements in Rule 313 be used to replace two sets of requirements from the SIP: the version of Rule 313 currently in the SIP and MCAQD Rule 35—Incinerators, revised August 12, 1971 (''Rule 35'').

Table 1 lists the rule we are proposing for approval with the dates that it was adopted by the local air agency and submitted to the EPA by the ADEQ. Table 2 lists the rules proposed to be rescinded from the SIP with the dates that they were adopted by the local air agency and approved into the SIP.

TABLE 1—SUBMITTED RULE FOR APPROVAL

Local agency	Rule No.	Rule title	Amended	Submitted
MCAQD	313	Incinerators, Burn-Off Ovens, and Crematories	December 11, 2024	December 23, 2024.

TABLE 2—RULES TO BE RESCINDED

Local agency	Rule No.	Rule title	Local revision date	SIP approved date	FR citation
MCAQD	313	Incinerators, Burn-Off Ovens, and Crematories.	May 9, 2012	September 25, 2014	79 FR 57445.
MCAQD	35	Incinerators	August 12, 1971	July 27, 1972	37 FR 15080.

On June 23, 2025, the 2024 SIP submittal was deemed complete by operation of law. We have reviewed the submittal to ensure it meets the completeness criteria in 40 CFR part 51, appendix V.

B. Are there other related submittals?

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. On September 13, 2017, because of that coordination, ADEQ submitted a SIP revision from MCAQD that requested to rescind or replace many obsolete rules in their federally enforceable SIP in favor of rules that reflect their current locally enforceable rulebook (''2017 SIP submittal''). The 2017 SIP submittal requested that the EPA rescind the SIP-approved version of Rule 35 and replace it with the version of Rule 313 currently in the SIP. However, the 2024 SIP submittal clarifies that this request has been superseded by the request to replace Rule 35 with the currently submitted revised version of Rule 313. If we finalize this rulemaking as proposed, the December 11, 2024 version of Rule 313 will replace the SIP-approved version of Rule 313 and Rule 35 in the MCAQD portion of the Arizona SIP.

C. What is the purpose of the submittal?

Rule 313 contains particulate matter (PM) and opacity standards for incinerators, burn-off ovens, and crematories. It also contains additional requirements such as work practice standards for specific cremation procedures (such as large charges or nighttime operations), as well as monitoring, recordkeeping, and reporting requirements. Rule revisions in the version adopted on December 14, 2024, include additional monitoring provisions and PM performance testing requirements, clarifications to several definitions, additional detail and clarity regarding recordkeeping requirements, and the addition of provisions or requirements established in Rule 35 to ensure that Rule 35 rescission does not result in interference with any existing CAA requirements. There are no revisions to the existing PM or opacity standards. In addition, MCAQD does not rely upon the standards established in Rule 313 to meet any nonattainment area requirements. A technical support document (TSD) that provides further

analysis of Rule 313 revisions is included in the docket for this rulemaking. Rule 35 controls the emissions of PM from any incinerators located in the MCAQD. The rule includes permit conditions, daily limits, and monitoring for PM and opacity. A separate TSD that provides further analysis of Rule 35 rescission is included in the docket for this rulemaking.

II. The EPA's Evaluation and Action

A. How is the EPA evaluating the rule and the request for rescission and replacement?

Emissions limitations in the SIP must be enforceable (see CAA section 110(a)(2)) and must not interfere with applicable requirements concerning attainment and reasonable further progress or other CAA requirements (see CAA section 110(l)). Once a rule has been approved as part of a SIP, the rescission of that rule from the SIP constitutes a SIP revision. To approve such a revision, the EPA must determine whether the revision meets relevant CAA criteria for stringency, if any, and complies with restrictions on relaxation of SIP measures under CAA section 110(l), and the General Savings Clause in CAA section 193 for SIP approved control requirements in effect before November 15, 1990.

Guidance and policy documents that we use to evaluate enforceability, revision/relaxation and rule stringency requirements for the applicable criteria pollutants include the following:

1.''Issues Relating to VOC Regulation Cutpoints, Deficiencies, and Deviations,'' EPA, May 25, 1988 (the Bluebook, revised January 11, 1990).

2. ''Guidance Document for Correcting Common VOC & Other Rule Deficiencies,'' EPA Region 9, August 21, 2001 (the Little Bluebook).

B. Does the rule revision, and rule rescissions, meet the evaluation criteria?

Rule 313 strengthens the SIP by clarifying monitoring and recordkeeping provisions. This rule meets CAA requirements and is consistent with relevant guidance regarding enforceability and SIP revisions. A portion of Maricopa County regulated by MCAQD is designated nonattainment for the particulate matter with a diameter of 10 micrometers or smaller (PM_{10}) national ambient air quality standard. However, since the Rule 313 requirements are not relied upon to meet any nonattainment area requirements, we have not evaluated it for stringency.

Additionally, we have concluded that Rule 35 is appropriate for rescission from the SIP. The requirements in Rule 35 will be replaced with analogous requirements in Rule 313 that are at least as stringent. For example, incineration is allowed during nighttime, requirements to test PM emissions are added, opacity testing now follows federal requirements, and monitoring and recordkeeping requirements are clearer. As such, the replacement of Rule 35 would not impact the overall stringency of the Arizona SIP.

The two TSDs in the docket have more detailed 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. The EPA also proposes to approve the requested rescission of the rest of Rule 35, and replacement with Rule 313, because it fulfills all relevant requirements. We will accept comments from the public on this proposal until October 14, 2025. If we take final action to approve Rule 313, 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 District, Rule 313, Incinerators, Burn-Off Ovens, and Crematories, revised December 11, 2024, which establishes emissions standards for particulate matter and opacity. In addition, the EPA is proposing to rescind Rule 35 and replace it with the submitted Rule 313 in the MCAQD portion of the Arizona SIP, because the requested replacement fulfills all relevant requirements. 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, Particulate matter, Reporting and recordkeeping requirements.

Dated: September 3, 2025.

Michael Martucci,

Acting Regional Administrator, Region IX.

[FR Doc. 2025–17501 Filed 9–10–25; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R09–OAR–2025–0317; FRL–12851–01–R9]

Air Plan Approval; Arizona; Maricopa County Air Quality Department; Volatile Organic Compounds; Architectural Coatings

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The Environmental Protection Agency (EPA) is proposing to approve revisions to the Maricopa County Air Quality Department (MCAQD or ''County'') portion of the Arizona State Implementation Plan (SIP). These revisions concern emissions of volatile organic compounds (VOC) from architectural coatings. Architectural coatings include house paints, stains, industrial maintenance coatings, traffic coatings, and other similar products. We are proposing to approve local rules to regulate these emission sources under the Clean Air Act (CAA or ''Act''). The revisions would update the Arizona SIP by replacing an outdated rule version with the current version in effect and would lower VOC emissions limits for some architectural coatings if contingency measures are triggered in the future. We are taking comments on this proposal and plan to follow with a final action.

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

ADDRESSES: Submit your comments, identified by Docket ID No. EPA–R09–OAR–2025–0317 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: Allison Kawasaki, EPA Region IX, 75 Hawthorne St., San Francisco, CA 94105; telephone number: (415) 972–3922; email address: *kawasaki.allison@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 rules did the State submit?

Table 1 lists the rules addressed by this proposal with the dates that they were adopted by the local air agency and submitted to the EPA by the Arizona Department of Environmental Quality (ADEQ). This proposal addresses two versions of MCAQD Rule 335—Architectural Coatings (''Rule 335''). Because these rules have identical titles and are regulating the same source category they will be differentiated in this proposal by the year in which they were submitted to the EPA. On September 8, 2017, ADEQ submitted a SIP revision requesting that the EPA approve Rule 335, as revised on September 25, 2013, into the Maricopa County portion of the Arizona SIP (''2017 submittal''). On December 23, 2024, ADEQ submitted a SIP revision requesting that the EPA approve Rule 335, as revised on December 11, 2024, into the Maricopa County portion of the Arizona SIP (''2024 submittal'').

TABLE 1—SUBMITTED RULES

Local agency	Rule No.	Rule title	Revised	Submitted
MCAQD	335	Architectural Coatings	September 25, 2013	September 8, 2017.
MCAQD	335	Architectural Coatings	December 11, 2024	December 23, 2024.

On March 13, 2018, the 2017 submittal was deemed by operation of law to be complete. On June 11, 2025, the 2024 submittal was deemed by operation of law to be complete. We have reviewed the submittals to ensure they meet the completeness criteria in 40 CFR part 51, appendix V.

B. Are there other versions of these rules?

We approved an earlier version of Rule 335 (adopted on July 13, 1988) into the SIP on January 6, 1992 (57 FR 354). In both the 2017 submittal and 2024 submittal, ADEQ requested that, upon approval of the revised version of Rule 335, the EPA remove the 1988 version of this rule from the SIP. If we finalize this rulemaking as proposed, then both the 2017 submittal and 2024 submittal of Rule 335 will replace the 1988 version of this rule in the SIP. The 2024 submittal of Rule 335 will not become effective until and unless contingency measures are triggered for the 2015 8-hour ozone national ambient air quality standards (NAAQS).

C. What is the purpose of the submitted rule revisions?

Rule 335 regulates the emissions of VOC from architectural coatings. Architectural coatings are coatings that are applied to stationary structures and their accessories. They include house paints, stains, industrial maintenance coatings, traffic coatings, and other similar products. VOC is emitted from coatings during application, curing, and from the associated solvents used for thinning and clean-up. Emissions of VOC contribute to the production of ground-level ozone and particulate matter (PM), which harm human health and the environment. Section 110(a) of the CAA requires states to submit regulations that control VOC emissions.

The 2017 submittal of Rule 335 was submitted as part of an ongoing effort by the MCAQD and the EPA to update the Maricopa County portion of the Arizona SIP to reflect the current locally adopted rules. The 2024 submittal of Rule 335 was adopted by MCAQD to meet CAA requirements related to contingency measures. Reductions in VOC emissions from architectural coatings can be achieved by limiting the VOC content of coatings. Under CAA 179(c)(9), states must adopt contingency measures for nonattainment areas that become effective in the event the EPA makes a finding of a failure to attain a NAAQS or a finding of failure to make reasonable further progress. If contingency measures are triggered for the 2015 8-hour ozone NAAQS, lower VOC content limits will apply to coatings in these categories: flat coatings, non-flat coatings, dry fog coatings, industrial maintenance coatings, primers, sealers, undercoaters, roof coatings, specialty primers, stains, traffic marking coatings, and wood preservatives.

The EPA prepared a technical support document (TSD) for each submittal of Rule 335. These TSDs are available in the docket and have more information about these rules.

II. The EPA's Evaluation and Action

A. How is the EPA evaluating the rules?

Rules in the SIP must be enforceable and must not interfere with applicable requirements concerning attainment and reasonable further progress or other CAA requirements. They also must not modify certain SIP control requirements in nonattainment areas that were in effect before November 15, 1990, without ensuring equivalent or greater emissions reductions. See, respectively, CAA sections 110(a)(2), 110(l), and 193.

Guidance and policy documents that we used to evaluate enforceability, revision/relaxation, and rule stringency 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).

2.''Issues Relating to VOC Regulation Cutpoints, Deficiencies, and Deviations,'' EPA, May 25, 1988 (the Bluebook, revised January 11, 1990).

3. ''Guidance Document for Correcting Common VOC & Other Rule Deficiencies,'' EPA Region 9, August 21, 2001 (the Little Bluebook).

B. Do the rules meet the evaluation criteria?

We evaluated these rules to ensure they meet CAA requirements and are consistent with relevant guidance regarding enforceability and SIP revisions. The version of Rule 335 in the 2024 submittal does not become effective unless the EPA makes one of the findings that triggers contingency measures for the 2015 8-hour ozone NAAQS. As a result, the 2017 submittal of Rule 335 has not been superseded and we are proposing to approve both the 2017 submittal of Rule 335 and the 2024 submittal of Rule 335 to replace the current version in the SIP from 1988. This ensures treatment of the two rule versions in the SIP will be consistent with how they are being implemented locally.

For the 2017 submittal of Rule 335, MCAQD only made minor changes to the rule compared to the SIP-approved version from 1988. The changes were limited to removal of two definitions that are already approved elsewhere into the SIP and are still incorporated into Rule 335. These revisions do not relax any current SIP requirements and are approvable under CAA sections 110(l) and 193.

The 2024 submittal of Rule 335 was evaluated to ensure enforceability under CAA section 110(a)(2)(A) and compliance with the SIP revision requirements in CAA section 110(l) and 193. MCAQD made more substantial revisions to this version, including establishing more stringent VOC emissions limitations if the Phoenix-Mesa ozone nonattainment area triggers contingency measure requirements. MCAQD also made significant revisions to the definitions and categories of coatings covered by the rule. We are proposing that the 2024 submittal of Rule 335 complies with CAA sections 110(a)(2)(A), 110(l), and 193.

In this proposal we are not evaluating whether the 2024 submittal of Rule 335 meets the contingency measure requirements in CAA section 179(c)(9). That evaluation will be addressed in a separate rulemaking. The TSDs for each rule have more information on our evaluation.

C. The EPA's Recommendations To Further Improve the Rules

The TSDs include recommendations for the next time the local agency revises the rules.

D. Proposed Action and Public Comment

As authorized in section 110(k)(3) of the Act, the EPA proposes to approve the submitted rules because they fulfill all relevant requirements. We are also proposing to rescind the current SIP-approved version of Rule 335 (adopted on July 13, 1988) and replace it with the versions of Rule 335 in the 2017 submittal and 2024 submittal. We will accept comments from the public on this proposal until October 14, 2025. If we take final action to approve the submitted rules, our final action will incorporate these rules 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 MCAQD Rule 335, Architectural Coatings, revised on September 25, 2013, and MCAQD Rule 335, Architectural Coatings revised on December 11, 2024, which regulate VOC emissions from architectual coatings. 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 oxides, Ozone, Reporting and recordkeeping requirements, Volatile organic compounds.

Dated: September 3, 2025.

Michael Martucci,

Acting Regional Administrator, Region IX.

[FR Doc. 2025–17500 Filed 9–10–25; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R08–OAR–2025–0204; FRL–12942–01–R8]

Air Plan Approval; Wyoming; R–35 Wyoming Air Quality Standards and Regulations Rule Package

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The Environmental Protection Agency (EPA) is proposing to approve revisions to the Wyoming State Implementation Plan (SIP) submitted by the Wyoming Department of Environmental Quality (WDEQ) on December 16, 2024. WDEQ requested EPA approve the revisions for Chapters 2, 3, 4, 8, and 14 in the Wyoming Air Quality Standards and Regulations (WAQSR) The revised rules include non-substantive updates to rule language that ensure consistent grammar, formatting, and written clarity as well as updated references to the Code of Federal Regulations. These revisions do not change the intent or scope of each rule. The EPA is proposing approval of these SIP revisions because we have determined that they are in accordance with the requirements for SIP provisions under the Clean Air Act (CAA or the Act). The proposed approval of WAQSR Chapter 2, section 4 of the December 16, 2024 submittal supersedes the revisions to this section contained in WDEQ's February 10, 2014 SIP submittal that the EPA had not previously acted on. In the ''Rules and Regulations'' section of this **Federal Register**, we are approving these SIP revisions as a direct final rule without a prior proposed rule. If we receive no adverse comment, we will not take further action on this proposed rule.

DATES: Written comments must be received on or before October 14, 2025.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA–R08–OAR–2025–0204 to the Federal Rulemaking Portal: *https://www.regulations.gov.* Follow the online instructions for submitting comments. Once submitted, comments cannot be edited or removed from *https://www.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.*

Docket: All documents in the docket are listed in the *https://www.regulations.gov* index. Although listed in the index, some information is not publicly available, *e.g.,* CBI or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, will be publicly available only in hard copy. Publicly available docket materials are available electronically in *https://www.regulations.gov.* Please email or call the person listed in the **FOR FURTHER INFORMATION CONTACT** section if you need to make alternative arrangements for access to the docket.

FOR FURTHER INFORMATION CONTACT: Chelsea Cancino, Air and Radiation Division, EPA, Region 8, Mailcode 8ARD–IO, 1595 Wynkoop Street, Denver, Colorado 80202–1129, telephone number: (303) 312–6276, email address: *cancino.chelsea@epa.gov.*

SUPPLEMENTARY INFORMATION: This document proposes to approve revisions to the Wyoming SIP that improve readability and incorporate updated Code of Federal Regulations weblinks to the WAQSR. We have published a direct final rule approving those revisions in the Rules and Regulations section of this **Federal Register**. EPA is approving the state's submittal as a direct final rule without prior proposal because we view this as a noncontroversial action and anticipate no adverse comment. We have explained our reasons for this action in the preamble to the direct final rule.

If we receive no relevant adverse comment, we will not take further action on this proposed rule. If we receive adverse comment, we will withdraw the direct final rule, and it will not take effect. We would address all public comments in any subsequent final rule based on this proposed rule.

We do not intend to institute a second comment period on this action. Any parties interested in commenting must do so at this time. For further

information, please see the information provided in the **ADDRESSES** section of this document.

Dated: August 29, 2025.

Cyrus M. Western,

Regional Administrator, EPA Region 8.

[FR Doc. 2025–17488 Filed 9–10–25; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R08–OAR–2024–0608; FRL–12597–01–R8]

Air Plan Approval; Montana; Regional Haze Plan for the Second Implementation Period; Prong 4 (Visibility) for the 2015 8-Hour Ozone National Ambient Air Quality Standard

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The Environmental Protection Agency (EPA) is proposing to approve the regional haze state implementation plan (SIP) submission submitted by the State of Montana on August 10, 2022, under the Clean Air Act (CAA) and the EPA's Regional Haze Rule (RHR) for the program's second implementation period. Montana's 2022 SIP submission addresses the requirement that states revise their long-term strategies every implementation period to make reasonable progress towards the national goal of preventing any future, and remedying any existing, anthropogenic impairment of visibility, including regional haze, in mandatory Class I Federal areas. Montana's 2022 SIP submission also addresses other applicable requirements for the second implementation period of the regional haze program. The EPA is also proposing to approve the prong 4 visibility portion of Montana's October 1, 2018 Infrastructure SIP submission for the 2015 ozone National Ambient Air Quality Standards (NAAQS). The EPA is taking these actions pursuant to the CAA.

DATES: Written comments must be received on or before October 14, 2025.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA–R08–OAR–2024–0608, to the Federal Rulemaking Portal: *https://www.regulations.gov.* Follow the online instructions for submitting comments. Once submitted, comments cannot be edited or removed from *https://www.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.*

Docket: All documents in the docket are listed in the *https://www.regulations.gov* index. Although listed in the index, some information is not publicly available, *e.g.,* CBI or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, will be publicly available only in hard copy. Publicly available docket materials are available electronically in *https://www.regulations.gov.* Please email or call the person listed in the **FOR FURTHER INFORMATION CONTACT** section if you need to make alternative arrangements for access to the docket.

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SUPPLEMENTARY INFORMATION: Throughout this document wherever ''we,'' ''us,'' or ''our'' is used, we mean the EPA.

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I. What action is the EPA proposing?

The EPA is proposing to approve a SIP submission submitted by the State of Montana to the EPA on August 10, 2022, addressing the requirements of the second implementation period of the RHR. Specifically, the EPA is proposing approval for the portions of Montana's 2022 SIP submission relating to 40 CFR 51.308(f)(1): calculations of baseline, current, and natural visibility conditions, progress to date, and the uniform rate of progress; 40 CFR 51.308(f)(2): long-term strategy; 40 CFR 51.308(f)(3): reasonable progress goals; 40 CFR 51.308(f)(4): reasonably attributable visibility impairment; 40 CFR 51.308(f)(5) and 40 CFR 51.308(g): progress report requirements; 40 CFR 51.308(f)(6): monitoring strategy and other implementation plan requirements; and 40 CFR 51.308(i): Federal Land Manager (FLM) consultation. The EPA is also proposing to approve the CAA section 110(a)(2)(D)(i) prong 4 (visibility) portion of Montana's October 1, 2018 Infrastructure SIP submission addressing the 2015 ozone NAAQS.

II. Background and Requirements for Regional Haze Plans

A detailed history and background of the regional haze program is provided in multiple prior EPA proposal actions.[1] For additional background on the 2017 RHR revisions, please refer to section III. Overview of Visibility Protection

[1] *See* 90 FR 13516 (March 24, 2025).

Statutory Authority, Regulation, and Implementation of ''Protection of Visibility: Amendments to Requirements for State Plans'' of the 2017 RHR.[2] The following is an abbreviated history and background of the regional haze program and 2017 Regional Haze Rule as it applies to the current action.

A. Regional Haze

In the 1977 CAA amendments, Congress created a program for protecting visibility in the nation's mandatory Class I Federal areas, which include certain national parks and wilderness areas.[3] CAA section 169A. The CAA establishes as a national goal the ''prevention of any future, and the remedying of any existing, impairment of visibility in mandatory Class I Federal areas which impairment results from manmade air pollution.'' CAA section 169A(a)(1).

Regional haze is visibility impairment that is produced by a multitude of anthropogenic sources and activities that are located across a broad geographic area and that emit pollutants that impair visibility. Visibility impairing pollutants include fine and coarse particulate matter (PM) (*e.g.,* sulfates, nitrates, organic carbon, elemental carbon, and soil dust) and their precursors (*e.g.,* sulfur dioxide (SO_2), nitrogen oxides (NO_X), and, in some cases, volatile organic compounds (VOC) and ammonia (NH_3)). Fine particle precursors react in the atmosphere to form fine particulate matter ($PM_{2.5}$), which impairs visibility by scattering and absorbing light. Visibility impairment reduces the perception of clarity and color, as well as visible distance.[4]

To address regional haze visibility impairment, the 1999 RHR established an iterative planning process that requires states containing Class I areas and states containing sources whose emissions ''may reasonably be anticipated to cause or contribute to any impairment of visibility'' in a Class I area in another state to periodically submit SIP revisions to address such impairment. CAA section 169A(b)(2); see also 40 CFR 51.308(b), (f) (establishing submission dates for iterative regional haze SIP revisions); (64 FR at 35768, July 1, 1999).

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

B. Roles of Agencies in Addressing Regional Haze

Because the air pollutants and pollution affecting visibility in Class I areas can be transported over long distances, successful implementation of the regional haze program requires long-term, regional coordination among multiple jurisdictions and agencies that have responsibility for Class I areas and the emissions that impact visibility in those areas. To address regional haze, states need to develop strategies in coordination with one another, considering the effect of emissions from one jurisdiction on the air quality in another. Five regional planning organizations (RPOs), which include representation from state and Tribal governments, the EPA, and FLMs, were developed in the lead-up to the first implementation period to address regional haze. RPOs evaluate technical information to better understand how emissions from state and Tribal land impact Class I areas across the country, pursue the development of regional strategies to reduce emissions of particulate matter and other pollutants leading to regional haze, and help states meet the consultation requirements of the RHR.

The Western Regional Air Partnership (WRAP), one of the five regional planning organizations described in the previous paragraph, is a collaborative effort of state governments, local air agencies, Tribal governments, and various federal agencies established to initiate and coordinate activities associated with the management of regional haze, visibility, and other air quality issues in the Western United States. Members include the states of Alaska, Arizona, California, Colorado, Hawaii, Idaho, Montana, Nevada, New Mexico, North Dakota, Oregon, South Dakota, Utah, Washington, Wyoming, and 28 Tribal governments.[5] The federal partner members of WRAP are the EPA, U.S. National Parks Service, U.S. Fish and Wildlife Service, U.S. Forest Service, and the Bureau of Land Management.

WRAP formed a workgroup to develop a planning framework for state regional haze second planning period SIPs. Based on emissions and monitoring data supplied by its membership, WRAP produced a technical system to support regional modeling of visibility impacts at Class I areas across the West. The WRAP Technical Support System consolidated air quality monitoring data, meteorological and receptor modeling data analyses, emissions inventories and projections, and gridded air quality/visibility regional modeling results. The Technical Support System is accessible by member states and allows for the creation of maps, figures, and tables to export and use in state plan development. It also maintains the original source data for verification and further analysis. Montana collaborated with WRAP on various aspects of the State's 2022 SIP submission, including the identification of Class I areas outside of Montana that may be affected by sources in the state, source selection, analysis of air quality monitoring data, preparation of emission inventories, development of reasonable progress goals, and air quality modeling, which together informed the development of its long-term strategy.

C. Status of Montana's Regional Haze Plan for the First Implementation Period

The CAA requires that regional haze plans for the first implementation period (2008 through 2018) include, among other things, a long-term strategy for making reasonable progress and BART requirements for certain older stationary sources, where applicable.[6]

On September 18, 2012, the EPA promulgated a federal implementation plan (FIP) that included NO_X, SO_2, and PM BART emission limits for three electricity generating units (EGUs) at two power plants and two cement kilns, as well as an emission limit for a natural gas compressor station to satisfy the reasonable progress requirements.[7] The

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

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

[4] There are several ways to measure the amount of visibility impairment, *i.e.,* haze. One such measurement is the deciview, which is the principal metric used by the RHR. Under many circumstances, a change in one deciview will be perceived by the human eye to be the same on both clear and hazy days. The deciview is unitless. It is proportional to the logarithm of the atmospheric extinction of light, which is the perceived dimming of light due to its being scattered and absorbed as it passes through the atmosphere. Atmospheric light extinction (b^{ext}) is a metric used for expressing visibility and is measured in inverse megameters (Mm^{-1}). The formula for the deciview is 10 ln (b^{ext})/10 Mm^{-1}). 40 CFR 51.301.

[5] A full list of WRAP members is available at *https://www.westar.org/wrap-council-members/.*

[6] Requirements for regional haze SIPs for the first implementation period are also contained in CAA section 169A(b)(2).

[7] 77 FR 57864 (September 18, 2012).

EPA promulgated a FIP in this instance because Montana did not submit a regional haze SIP as required under section 110 of the CAA.[8]

Several parties challenged the portion of the FIP addressing the EPA's NO_X and SO_2 BART determinations at the power plants, Colstrip Units 1 and 2 and Corette.[9] On June 9, 2015, the U.S. Court of Appeals for the Ninth Circuit vacated and remanded the portions of the FIP related to the NO_X and SO_2 BART emission limits for J.E. Corette and Colstrip Units 1 and 2 and remanded the EPA's response to a public comment in the 2012 final rule regarding the use of visibility modeling in determining BART for Colstrip Units 1 and 2.[10] The BART emission limits for the Ash Grove and Trident cement kilns, the PM emission limits for the EGUs, and the reasonable progress requirements for the Blaine Compressor Station were not at issue in the petitions filed with the Ninth Circuit Court of Appeals.[11]

On September 12, 2017, the EPA amended aspects of the remaining 2012 FIP by (1) revising the BART NO_X emission limit for the Trident cement kiln, and (2) correcting errors in our original FIP regarding the reasonable progress determination for the Blaine Compressor Station and the instructions for compliance determinations for PM BART emission limits at the EGUs and cement kilns.[12] Ultimately, the EPA removed the reasonable progress requirements for the natural gas compressor station from the FIP after correcting the error that resulted in the source no longer being subject to reasonable progress requirements.

On June 26, 2023, the EPA approved a SIP revision that addressed NO_X and SO_2 BART requirements for the J.E. Corette and Colstrip (Units 1 and 2) power plants and replaced portions of the original FIP promulgated by the EPA in 2012.[13] [14]

[8] Letter from Richard H. Opper, Director Montana Department of Environmental Quality to Laurel Dygowski, EPA Region 8 Air Program, June 19, 2006. Based off this letter, EPA made a determination finding of failure to submit a SIP by Montana. This triggered a mandatory duty clock to have EPA either promulgate a FIP or approve a SIP within two years of the EPA finding. *See* 74 FR 2392 (January 15, 2009).

[9] Several parties petitioned the Ninth Circuit Court of Appeals to review EPA's NO_X and SO_2 BART determinations at the power plants, Colstrip and Corette (PPL Montana, LLC, the National Parks Conservation Association, Montana Environmental Information Center, and the Sierra Club). *National Parks Conservation Association* v. *EPA,* 788 F.3d 1134 (9th Cir. 2015).

[10] *Id.*

[11] *Id.*

[12] 82 FR 42738 (September 12, 2017).

[13] 88 FR 41320 (June 26, 2023).

[14] The June 26, 2023, action also addressed the U.S. Court of Appeals for the Ninth Circuit's June 9, 2015 remand of portions of the 2012 regional haze FIP, including the EPA's response to a public comment regarding the use of the CALPUFF visibility model in determining BART at Colstrip Units 1 and 2.

D. Montana's Regional Haze Plan for the Second Implementation Period

On August 10, 2022, Montana submitted a SIP submission to address its regional haze obligations for the second implementation period (2018–2028). Montana's 2022 SIP submission contains the State's long-term strategy to address regional haze visibility impairment for each Class I area within the State and each Class I area outside the State that may be affected by emissions from the State. In developing its long-term strategy, the State examined the need to implement additional enforceable emission limitations, compliance schedules, and other measures that are necessary to make reasonable progress since the first implementation period. Specifically, Montana's 2022 SIP submission contains an assessment of visibility progress made at Class I areas since the first implementation period and a long-term strategy to address regional haze visibility impairment at Class I areas the State identified, including: Montana's selection of sources that may affect visibility in Class I areas within the State and outside the State for four-factor analysis; its evaluation of the selected sources to determine what emission reduction measures constitute reasonable progress for the long-term strategy; regional scale modeling of the State's long-term strategy to set reasonable progress goals for 2028; and ultimately, Montana's determinations on what control measures are necessary for the long-term strategy to address regional haze visibility impairment in the Class I areas. The State concluded that no additional emission reduction measures for Montana facilities are required for the second implementation period under its long-term strategy.

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

Under the CAA and the EPA's regulations, all 50 states, the District of Columbia, and the U.S. Virgin Islands were required to submit regional haze SIPs satisfying the applicable requirements for the second implementation period of the regional haze program by July 31, 2021. Each SIP must contain a long-term strategy for making reasonable progress toward meeting the national goal of remedying any existing and preventing any future anthropogenic visibility impairment in Class I areas. CAA section 169A(b)(2)(B). To this end, 40 CFR 51.308(f) lays out the process by which states determine what constitutes their long-term strategies, with the order of the requirements in 40 CFR 51.308(f)(1) through (3) generally mirroring the order of the steps in the reasonable progress analysis [15] and (f)(4) through (6) containing additional, related requirements.

Broadly speaking, a state first must identify the Class I areas within the state and determine the Class I areas outside the state in which visibility may be affected by emissions from the state. These are the Class I areas that must be addressed in the state's long-term strategy. See 40 CFR 51.308(f), (f)(2). For each Class I area within its borders, a state must then calculate the baseline (five-year average period of 2000–2004), current, and natural visibility conditions (*i.e.,* visibility conditions without anthropogenic visibility impairment) for that area, as well as the visibility improvement made to date and the ''uniform rate of progress'' (URP). The URP is the linear rate of progress needed to attain natural visibility conditions, assuming a starting point of baseline visibility conditions in 2004 and ending with natural conditions in 2064. This linear interpolation is used as a tracking metric to help states assess the amount of progress they are making towards the national visibility goal over time in each Class I area. See 40 CFR 51.308(f)(1).

Each state having a Class I area and/or emissions that may affect visibility in a Class I area must then develop a long-term strategy that includes the enforceable emission limitations, compliance schedules, and other measures that are necessary to make reasonable progress in such areas. A reasonable progress determination is based on applying the four factors in CAA section 169A(g)(1) to sources of visibility impairing pollutants that the state has selected to assess for controls for the second implementation period. Additionally, as further explained below, the RHR at 40 CFR 51.3108(f)(2)(iv) separately provides five ''additional factors'' [16] that states must consider in developing their long-term strategies. See 40 CFR 51.308(f)(2). A

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

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

state evaluates potential emission reduction measures for those selected sources and determines which are necessary to make reasonable progress. Those measures are then incorporated into the state's long-term strategy.

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

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

Once a state has selected the set of sources, the next step is to determine the emissions reduction measures for those sources that are necessary to make reasonable progress for the second implementation period.[17] This is accomplished by considering the four factors—''the costs of compliance, the time necessary for compliance, the energy and non-air quality environmental impacts of compliance, and the remaining useful life of any existing source subject to such requirements.'' CAA section 169A(g)(1). The EPA has explained that the four-factor analysis is an assessment of potential emission reduction measures (*i.e.,* control options) for sources; ''use of the terms 'compliance' and 'subject to such requirements' in section 169A(g)(1) strongly indicates that Congress intended the relevant determination to be the requirements with which sources would have to comply to satisfy the CAA's reasonable progress mandate.'' 82 FR at 3091. Thus, for each source it has selected for four-factor analysis,[18] a state must consider a ''meaningful set'' of technically feasible control options for reducing emissions of visibility impairing pollutants. *Id.* at 3088.

The EPA has also explained that, in addition to the four statutory factors, states have flexibility under the CAA and RHR to reasonably consider visibility benefits as an additional factor alongside the four statutory factors.[19] Ultimately, while states have discretion to reasonably weigh the factors and to determine what level of control is needed, 40 CFR 51.308(f)(2)(i) provides that a state ''must include in its implementation plan a description of . . . how the four factors were taken into consideration in selecting the measures for inclusion in its long-term strategy.''

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

The characterization of information on each of the factors is also subject to the documentation requirement in 40 CFR 51.308(f)(2)(iii). The reasonable progress analysis is a technically complex exercise, and also a flexible one that provides states with bounded discretion to design and implement approaches appropriate to their circumstances. Given this flexibility, 40 CFR 51.308(f)(2)(iii) plays an important function in requiring a state to document the technical basis for its decision making so that the public and the EPA can comprehend and evaluate the information and analysis the state relied upon to determine what emission reduction measures must be in place to make reasonable progress. The technical documentation must include the modeling, monitoring, cost, engineering, and emissions information on which the state relied to determine the measures necessary to make reasonable progress.

Additionally, the RHR at 40 CFR 51.3108(f)(2)(iv) separately provides five ''additional factors'' that states must consider in developing their long-term strategies: (1) Emission reductions due to ongoing air pollution control programs, including measures to address reasonably attributable visibility impairment; (2) measures to reduce the impacts of construction activities; (3) source retirement and replacement schedules; (4) basic smoke management practices for prescribed fire used for agricultural and wildland vegetation management purposes and smoke management programs; and (5) the anticipated net effect on visibility due to projected changes in point, area, and mobile source emissions over the period addressed by the long-term strategy.

Because the air pollution that causes regional haze crosses state boundaries, 40 CFR 51.308(f)(2)(ii) requires a state to consult with other states that also have emissions that are reasonably anticipated to contribute to visibility impairment in a given Class I area. If a state, pursuant to consultation, agrees that certain measures (*e.g.,* a certain emission limitation) are necessary to make reasonable progress at a Class I area, it must include those measures in its SIP. 40 CFR 51.308(f)(2)(ii)(A). Additionally, the RHR requires that states that contribute to visibility impairment at the same Class I area consider the emission reduction measures the other contributing states have identified as being necessary to make reasonable progress for their own sources. 40 CFR 51.308(f)(2)(ii)(B). If a state has been asked to consider or adopt certain emission reduction

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

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

[19] *See, e.g.,* Responses to Comments on Protection of Visibility: Amendments to Requirements for State Plans; Proposed Rule (81 FR 26942, May 4, 2016), Docket ID No. EPA–HQ–OAR–2015–0531, U.S. Environmental Protection Agency at 186.

measures, but ultimately determines those measures are not necessary to make reasonable progress, that state must document in its SIP the actions taken to resolve the disagreement. 40 CFR 51.308(f)(2)(ii)(C). Under all circumstances, a state must document in its SIP submission all substantive consultations with other contributing states. 40 CFR 51.308(f)(2)(ii)(C).

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

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

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

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

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

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

Finally, the state SIP must meet the approval requirements in CAA section 110(a)(2) for plans ''submitted by a State under this chapter'' to the extent not already addressed in the regulations described previously. As relevant here, the state must provide ''necessary assurances'' that the state has adequate personnel, funding, and authority to carry out the implementation plan, that the state ''is not prohibited by any provision of Federal or State law from carrying out such implementation plan or portion thereof,'' and that the state can lawfully rely on regional and local instrumentalities to implement the SIP, as applicable. CAA section 110(a)(2)(E)(i)–(iii).

IV. The EPA's Evaluation of Montana's Regional Haze Plan for the Second Implementation Period

In section IV. of this document, we describe Montana's 2022 SIP submission and evaluate it against the requirements of the CAA and RHR for the second implementation period of the regional haze program.

A. Identification of Class I Areas

Section 169A(b)(2) of the CAA requires each state in which any Class I area is located or ''the emissions from which may reasonably be anticipated to cause or contribute to any impairment

of visibility'' in a Class I area to have a long-term strategy for making reasonable progress toward the national visibility goal. The RHR implements this statutory requirement in 40 CFR 51.308(f) for the second and subsequent planning periods for regional haze. 40 CFR 51.308(f)(2) requires states to submit a long-term strategy that addresses regional haze visibility impairment for each mandatory Class I area within the state and for each mandatory Class I area located outside the state that may be affected by emissions from the state.

There are 12 designated Class I areas within the State of Montana, including two national parks managed by the U.S. National Park Service (Glacier National Park and Yellowstone National Park) and ten wilderness areas managed by the U.S. Forest Service (Anaconda-Pintler Wilderness Area, Bob Marshall Wilderness Area, Cabinet Mountains Wilderness Area, Gates of the Mountains Wilderness Area, Medicine Lake Wilderness Area, Mission Mountain Wilderness Area, Red Rock Lakes Wilderness Area, Scapegoat Wilderness Area, Selway-Bitterroot Wilderness Area, UL Bend Wilderness Area).[20] In its 2022 submission, Montana acknowledges that emissions from in-state sources contribute to visibility impairment at its 12 Class 1 areas.[21] Montana demonstrated in their 2022 SIP submission that all of their Class I areas are projected to be below the 2028 URP for each area.[22]

Montana also evaluated Class I areas outside the State where visibility may be affected by Montana sources. Using the WRAP's 2028OTBa2 source apportionment modeling Montana identified three Class I areas where the State contributes 0.11 deciviews or greater: Wind Cave (0.12 deciviews, 1.2%); Theodore Roosevelt (0.11 deciviews, 0.8%); and Lostwood (0.11 deciviews; 0.7%) based on combined percentages of nitrate + sulfate impairment at these Class I areas from Montana sources.[23]

All Class I areas in Montana as well as the three out-of-state Class I areas most impacted by Montana sources are projected to be below the adjusted glidepath for 2028.[24]

B. Calculation of Baseline, Current, and Natural Visibility Conditions; Progress to Date; and Uniform Rate of Progress for Class I Areas Within the State

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

The IMPROVE monitoring network measures visibility impairment caused by air pollution at Class I areas. Montana's 2022 SIP submission provides visibility conditions for each IMPROVE monitor and associated Class I area in Montana (table 1).[25]

TABLE 1—VISIBILITY CONDITIONS (DECIVIEWS) FOR MONTANA IMPROVE STATIONS

Monitor ID	Class I areas	Baseline (2000–2004)	Period (2008–2012)	Current (2014–2018)	Natural (2064)	Progress since baseline (2000–2004)–(2014–2018)	Progress during last implementation period (2008–2012)—(2014–2018)	Difference between current (2014–2018) and natural (2064)
Most Impaired Days								
CABI1	Cabinet Mountains Wilderness Area.	10.73	10.23	9.87	5.64	0.86	0.36	4.23
GAMO1	Gates of the Mountains Wilderness Area.	8.95	7.74	7.47	4.53	1.48	0.27	2.94
GLAC1	Glacier National Park	15.89	14.07	13.77	6.90	2.12	0.30	6.87
MELA1	Medicine Lake Wilderness Area	16.62	16.60	15.30	5.95	1.32	1.30	9.35
MONT1	Bob Marshall Wilderness Area, Mission Mountain Wilderness Area, Scapegoat Wilderness Area.	11.00	10.24	10.06	5.53	0.94	0.18	4.53
SULA1	Anaconda-Pintler Wilderness Area, Selway-Bitterroot Wilderness Area.	10.06	8.86	8.37	5.45	1.69	0.49	2.92
ULBE1	UL Bend Wilderness Area	12.76	12.16	10.93	5.87	1.83	1.23	5.06
YELL2	Red Rock Lakes National Wildlife Refuge, Yellowstone National Park.	8.30	7.49	7.52	3.97	0.78	−0.03	3.55
Clearest Days								
CABI1	Cabinet Mountains Wilderness Area.	3.62	2.58	2.46	1.48	1.16	0.12	0.98
GAMO1	Gates of the Mountains Wilderness Area.	1.71	0.75	0.66	0.32	1.05	0.09	0.34
GLAC1	Glacier National Park	7.22	5.68	5.38	2.43	1.84	0.30	2.95
MELA1	Medicine Lake Wilderness Area	7.27	6.42	6.19	2.96	1.08	0.23	3.23
MONT1	Bob Marshall Wilderness Area, Mission Mountain Wilderness Area, Scapegoat Wilderness Area.	3.86	2.79	2.56	1.48	1.30	0.23	1.08

[20] Montana 2022 SIP submission at 3.

[21] *Id.* at 91–103.

[22] *Id.* at 298–305.

[23] *Id.* at 291–293, Table 7–5.

[24] *https://views.cira.colostate.edu/tssv2/Express/ModelingTools.aspx.*

[25] Montana 2022 SIP submission at 73–77.

TABLE 1—VISIBILITY CONDITIONS (DECIVIEWS) FOR MONTANA IMPROVE STATIONS—Continued

Monitor ID	Class I areas	Baseline (2000–2004)	Period (2008–2012)	Current (2014–2018)	Natural (2064)	Progress since baseline (2000–2004)–(2014–2018)	Progress during last implementation period (2008–2012)—(2014–2018)	Difference between current (2014–2018) and natural (2064)
SULA1	Anaconda-Pintler Wilderness Area, Selway-Bitterroot Wilderness Area.	2.57	1.95	1.60	1.12	0.97	0.35	0.48
ULBE1	UL Bend Wilderness Area	4.75	4.14	3.71	2.46	1.04	0.43	1.25
YELL2	Red Rock Lakes National Wildlife Refuge, Yellowstone National Park.	2.58	1.51	1.43	0.43	1.15	0.08	1.00

The State also determined the URP for the most impaired and clearest days for Montana Class I areas.[26] Montana also provided haze indices and the URP for IMPROVE monitors and associated Class I areas outside the State.[27]

Based on the information provided in Montana's 2022 SIP submission, the EPA is proposing to approve the State's visibility condition calculations for Cabinet Mountains Wilderness Area, Gates of the Mountains Wilderness Area, Glacier National Park, Medicine Lake Wilderness Area, Bob Marshall Wilderness Area, Mission Mountains Wilderness Area, Scapegoat Wilderness Area, Anaconda-Pintler Wilderness Area, Selway-Bitterroot Wilderness Area, UL Bend Wilderness Area, Red Rock Lakes National Wildlife Refuge, and Yellowstone National Park [28] as meeting the requirements of 40 CFR 51.308(f)(1) related to the calculation of baseline, current, and natural visibility conditions; progress to date; and the URP.

C. Long-Term Strategy

Each state having a Class I area within its borders or emissions that may affect visibility in any Class I area outside the state must develop a long-term strategy for making reasonable progress towards the national visibility goal for each impacted Class I area. CAA section 169A(b)(2)(B). As explained in the Background section of this document, reasonable progress is achieved when all states contributing to visibility impairment in a Class I area are implementing the measures determined—through application of the four statutory factors to sources of visibility impairing pollutants—to be necessary to make reasonable progress. 40 CFR 51.308(f)(2)(i). Each state's long-term strategy must include the enforceable emission limitations, compliance schedules, and other measures that are necessary to make reasonable progress. 40 CFR 51.308(f)(2). After considering the four statutory factors, all measures that are determined to be necessary to make reasonable progress must be in the long-term strategy. In developing its long-term strategy, a state must also consider the five additional factors in 40 CFR 51.308(f)(2)(iv). As part of its reasonable progress determinations, the state must describe the criteria used to determine which sources or group of sources were evaluated (*i.e.,* subject to four-factor analysis) for the second implementation period and how the four factors were taken into consideration in selecting the emission reduction measures for inclusion in the long-term strategy. 40 CFR 51.308(f)(2)(iii).

1. Montana's Long-Term Strategy Four-Factor Analysis

a. Summary of Montana's Long-Term Strategy Four-Factor Analysis

Under 40 CFR 51.308(f)(2)(i), SIP submittals must include a description of the criteria a state used to determine which sources or groups of sources to evaluate through four-factor analysis. Montana used a Q/d screening approach to identify sources for four-factor analysis. The Q/d screening metric uses a source's annual emissions in tons (Q) divided by the distance in kilometers (d) between the source and the nearest Class I area, along with a reasonably selected threshold for this metric. The larger the Q/d value, the greater the source's expected effect on visibility in each associated Class I area.

Using a WRAP-devised screening threshold of Q/d > 4 and emissions information from the 2014–2017 average annual emissions, Montana identified sources in the State that may be affecting visibility at Class I areas.[29] Montana first categorized all permitted stationary sources into two groups based on average combined annual NO_X and SO_2 emissions.[30] The first group included 24 facilities emitting 100 tons per year or more, which were automatically selected for further evaluation using a Q/d > 4 to represent the point source emissions impacting Class I areas, resulting in 15 selected sources. Montana then applied the Q/d > 4 to the second group of smaller sources, identifying an additional two sources with lower emissions but close proximity to Class 1 areas. In total, Montana selected 17 point sources for four-factor analysis (table 2).[31] [32] These 17 point sources contributed approximately 36,620 tons per year of NO_X and SO_2 emissions, representing about 90% of total emissions from point sources in the state.

[26] Montana 2022 SIP submission at 86–91.

[27] *Id.* at 86–91.

[28] Bob Marshall Wilderness Area, Mission Mountains Wilderness Area, and Scapegoat Wilderness Area are subject to the same visibility calculation. Anaconda-Pintler Wilderness Area and Selway-Bitterroot Wilderness Area are subject to the same visibility calculation. Red Rock Lakes National Wildlife Refuge and Yellowstone National Park are subject to the same visibility calculation.

[29] Montana 2022 SIP submission at 161–164, Appendix C.

[30] Based on emission trend analysis and light extinction budgets, Montana chose to focus the potential additional control analysis on point source emissions of NO_X and SO_2 only. Montana 2022 SIP submission at 151–152; 160–161.

[31] Montana 2022 SIP submission at 162–164, Appendix C.

[32] Montana did not include Colstrip Units 1 and 2 among the sources screened for four-factor analysis because the units were scheduled to close. The EPA finalized the enforceable closures of Colstrip Units 1 and 2 into the SIP in 2023 (88 FR 41320).

TABLE 2—FACILITIES SCREENED IN USING Q/d

Facility name	Closest Class I area	(d) Minimum of distance (km) to Class I area	(Q) Maximum of emissions (tons/year)	Q/d
Weyerhaeuser NR—Columbia Falls Facility	Glacier	13.3	984.36	74.01
Talen Montana LLC—Colstrip Steam Electric Station Units #3 and 4.	UL Bend	198.9	12,716.57	63.93
Ash Grove Cement Company	Gates of the Mountains	30.6	1,235.11	40.36
Montana Dakota Utilities CO—Lewis & Clark Station	Teddy Roosevelt	51.8	1,052.28	20.31
GCC Trident, LLC	Yellowstone	97.4	1,488.39	15.28
Yellowstone Energy Limited Partnership—Yellowstone Power Plant.	Absaroka	143.8	2,136.33	14.86
Roseburg Forest Products CO	Selway Bitterroot	26.6	302.61	11.38
Colstrip Energy Ltd Partnership	UL Bend	188.7	1,935.61	10.26
Montana Sulphur & Chemical CO	Absaroka	137.5	1,310.27	9.53
Graymont Western US Inc—Indian Creek Facility	Gates of the Mountains	57.1	524.23	9.18
ExxonMobil Fuels & Lubricants Company—ExxonMobil Billings Refinery.	Absaroka	143.7	1,034.41	7.20
Cenex Harvest States Cooperative Inc—CHS Inc Refinery Laurel.	Absaroka	113.5	628.73	5.54
F H Stoltze Land & Lumber CO	Glacier	14	75.22	5.37
Sidney Sugars Inc—Sidney Sugar Facility	Teddy Roosevelt	51.9	268.79	5.18
Phillips 66 CO—Billings Refinery	Absaroka	143	644.92	4.51
Weyerhaeuser NR Kalispell—Weyerhaeuser Evergreen Facility	Glacier	30.5	134.32	4.40
Northern Border Pipeline CO—N. Border Pipeline CO Station #3.	Medicine Lake	22.8	95.76	4.20

The State requested that each of the 17 point sources conduct a four-factor analysis that evaluated controls for NO_X and SO_2 emissions for its review and consideration.[33] For one of these sources, Montana Dakota Utilities (MDU) Lewis and Clark Station, the State determined that the source's four-factor analysis was no longer relevant because the source had been permanently removed from service prior to the State's finalization of the SIP.[34] For the remaining sources, Montana then evaluated what is necessary to make reasonable progress by considering the four statutory factors for each source:

- Cost of compliance;
- Time necessary for compliance;
- Energy and non-air quality environmental impacts of compliance; and
- Remaining useful life of any potentially affected sources.

The State documented these analyses in Montana's 2022 SIP submission and associated technical support documents. Chapter 6 of Montana's SIP submission contains Montana's evaluation of the four statutory factors for each source and Montana's determinations of the source-specific emission reduction measures necessary to make reasonable progress.[35]

As part of its long-term strategy evaluation of what emission control measures are necessary to make reasonable progress by 2028, Montana considered the previous approved BART determinations and emission limits for J.E. Corette power plant and Colstrip power plant, Unit 1 and 2.[36] Ultimately, the State concluded that no additional regional haze controls or measures are required of any of the evaluated sources for the long-term strategy measures necessary to make reasonable progress by 2028 during the second implementation period.[37]

b. The EPA's Evaluation of Montana's Long-Term Strategy Four-Factor Analysis

Section 169A(b)(2) of the CAA requires each state in which any Class I area is located or ''the emissions from which may reasonably be anticipated to cause or contribute to any impairment of visibility'' in a Class I area to have a plan for making reasonable progress toward the national visibility goal. CAA section 169A(g)(1) specifies: ''[I]n determining reasonable progress there shall be taken into consideration the costs of compliance, the time necessary for compliance, and the energy and nonair quality environmental impacts of compliance, and the remaining useful life of any existing source subject to such requirements.'' [38] The RHR implements this statutory requirement in 40 CFR 51.308(f) for the second and subsequent planning periods for regional haze. 40 CFR 51.308(f) requires states to submit a long-term strategy that addresses regional haze visibility impairment for each mandatory Class I area within the state and for each mandatory Class I area located outside the state that may be affected by emissions from the state. 40 CFR 51.308(f)(2)(i) lays out the CAA 169A four-factor criteria for the evaluation and development of the long-term strategy.

Based on the EPA's review, we find that Montana's 2022 SIP submission satisfies the requirements under 51.308(f)(2)(i) because Montana's selection of 17 point sources, evaluation of the four statutory factors, and determinations of the emission reductions necessary to make reasonable progress as described in section IV.C.1.a. of this document, were reasonable.

With respect to source selection, Montana used the 2014–2017 average annual emissions of NO_X and SO_2 in tons divided by distance in kilometers between a source and the nearest Class I area as a surrogate for baseline visibility impact. This metric is also known as Q/d. The state then analyzed the 271 permitted stationary sources in the state and relied on its screening protocol, using a Q/d threshold > 4, to evaluate facilities that account for ninety percent of the NO_X plus SO_2 emissions from the permitted stationary facilities. Applying this protocol, Montana selected 17 point sources for

[33] Montana 2022 SIP submission at 166–167; Appendix A.

[34] *Id.* at 197–198; Appendix D.

[35] *Id.* at 166–270.

[36] *Id.* at 280–281; Appendix D.

[37] *Id.* at 280.

[38] We refer to the CAA section 169A(g)(1) requirements as the four factors.

analysis. As previously stated, 40 CFR 51.308(f)(2)(i) requires that a state's SIP submission include a ''description of the criteria it used to determine which sources or groups of sources it evaluated,'' and it must be appropriately documented, as required by 40 CFR 51.308(f)(2)(iii). Because Montana provided a detailed description of how the State used technical information to select a reasonable set of sources for an analysis of control measures for the second implementation period, we find that Montana's source selection was reasonable and consistent with the requirements of 40 CFR 51.308(f)(2).[39]

Montana submitted four-factor analyses for the selected sources and demonstrated that its determination of declining additional measures necessary for reasonable progress, as part of its long-term strategy, were an outgrowth of its consideration of the four statutory factors in accordance with 40 CFR 51.308(f)(2)(i).[40] Ultimately, Montana's 2022 SIP submission relied on previously approved and adopted measures.[41]

The EPA reviewed the State's long-term strategy to address regional haze visibility impairment for each Class I area affected by emissions from the State. The State included in its implementation plan a description of the criteria it used to determine which sources it evaluated and how the four factors were taken into consideration in selecting the measures for inclusion in its long-term strategy including existing emission control measures and compliance schedules that had been previously codified in Montana Board of Environmental Review Orders and 40 CFR 52.1370(d).[42] [43] In addition, the projected 2028 visibility conditions for Class I areas both in Montana and those areas influenced by emissions from Montana sources, are all below the 2028 URP. The EPA's recently implemented URP policy is that so long as the Class I areas impacted by a state are below the URP and the State considers the four factors, the State will have presumptively demonstrated it has already made reasonable progress for the second planning period for that area.[44] Thus, we are concluding that Montana's long-term strategy contains the enforceable emission limitations, compliance schedules, and other measures that are necessary to make reasonable progress.

Because the State evaluated and determined the emission reduction measures that are necessary to make reasonable progress by considering the costs of compliance, the time necessary for compliance, the energy and non-air quality environmental impacts of compliance, and the remaining useful life of the sources selected as is required under 40 CFR 51.308(f)(2)(i), and the projected 2028 visibility conditions for Class I areas influenced by emissions from Montana sources are all below the URP, we find that Montana's determination of the emission reduction measures that are necessary to make reasonable progress was reasonable and consistent with the requirements of 40 CFR 51.308(f)(2)(i).

2. Other Long-Term Strategy Requirements

States must meet the additional requirements specified in 40 CFR 51.308(f)(2)(ii)–(iv) when developing their long-term strategies. 40 CFR 51.308(f)(2)(ii) requires states to consult with other states that have emissions that are reasonably anticipated to contribute to visibility impairment in Class I areas to develop coordinated emission management strategies. Specifically, 40 CFR 51.308(f)(2)(ii)(A) requires a state to demonstrate that its SIP includes all measures agreed upon during the state-to-state consultations. Montana considered facilities affecting out of state Class I areas for additional controls through a four-factor analysis and determined that no additional controls on Montana sources will be required at this time. The states consulted agreed with Montana's conclusion. 40 CFR 51.308(f)(ii)(B) requires a state to consider emission reduction measures identified by other states as being necessary to make reasonable progress in a Class I area. Montana did not receive recommendations for any of the sources within the State from other states. Chapter 7.2 of Montana's 2022 SIP submission describes Montana's consultation with other states throughout the development of its regional haze plan.[45]

40 CFR 51.308(f)(2)(iii) requires states to document the technical basis, including modeling, monitoring, costs, engineering, and emissions information, on which the state is relying to determine the emission reduction measures that are necessary to make reasonable progress in each mandatory Class I area it impacts. Montana relied on WRAP technical information, modeling, and analysis to support development of its long-term strategy.[46]

40 CFR 51.308(f)(2)(iv) specifies five additional factors states must consider in developing their long-term strategies. The five additional factors are: emission reductions due to ongoing air pollution control programs, including measures to address reasonably attributable visibility impairment; measures to mitigate the impacts of construction activities; source retirement and replacement schedules; basic smoke management practices for prescribed fire used for agricultural and wildland vegetation management purposes and smoke management programs; and the anticipated net effect on visibility due to projected changes in point, area, and mobile source emissions over the period addressed by the long-term strategy.

Chapter 7.1 of Montana's 2022 SIP submission describes each of the five additional factors it is required to consider under 40 CFR 51.308(f)(2)(iv) and explains how it considered them.[47] Pursuant to 40 CFR 51.308(f)(2)(iv)(A), Montana detailed the existing and ongoing State and Federal emission control programs that contribute to emission reductions, including the designation status for all current and former non-attainment areas.[48] Montana's Airborne Particulate Matter rule in Administrative Rules of Montana (ARM) 17.8.308 mitigates the impacts of construction activities as required by 40 CFR 51.308(f)(2)(iv)(B).[49] Pursuant to 40 CFR 51.308(f)(2)(iv)(C), source retirement schedules are found in table 7–2 of the Montana 2022 SIP submission as well as in a board order codified in 40 CFR 52.1370(d).[50] In considering smoke management as required in 40 CFR 51.308(f)(2)(iv)(D), Montana explained that it addresses smoke management through its EPA-approved Smoke Management Program [51] as well as Best Available Control Technology requirements for burners found in ARM 17.8.601 which limits smoke impacts due to burning.[52]

[39] Montana 2022 SIP submission at 151–166.

[40] *Id.* at 166–281.

[41] *Id.* at 296.

[42] Montana Board of Environmental Review Order: In the Matter of an Order Setting Air Pollutant Emission Limits that the State of Montana may Submit to the Federal Environmental Protection Agency for Revision of the State Implementation Plan Concerning Protection of Visibility, Affecting the Following Facilities: Talen Montana, LLC's Colstrip Steam Electric Station, Units 1 and 2, and J.E. Corette Steam Electric Station. Board Order Findings of Fact, Conclusions of Law, and Order. October 18, 2019, Exhibit A.

[43] 88 FR 41320 (June 26, 2023).

[44] *See* 90 FR 29737, 29738 (July 7, 2025); 90 FR 20425, 20434 (May 14, 2025).

[45] Montana 2022 SIP submission at 293–296.

[46] *Id.* at 31–43.

[47] *Id.* at 271–281.

[48] *Id.* at 271–277.

[49] *Id.* at 278.

[50] Montana 2022 SIP submission at 278–281; Montana Board of Environmental Review Orders.

[51] Consistent with the EPA's *Interim Air Quality Policy on Wildland Prescribed Fire, May 1998.*

[52] Montana 2022 SIP submission at 281.

Montana considered the anticipated net effect of projected changes in emissions on visibility due to projected changes in point, area and mobile source emissions as required by 40 CFR 51.308(f)(2)(iv)(E) in tables 8–2 and 8–4 of the State's 2022 SIP submission.[53]

After reviewing Montana's 2022 SIP chapters addressing 40 CFR 51.308(f)(2)(ii)–(iv), the EPA finds that Montana has satisfied these additional long-term strategy requirements of 40 CFR 51.308(f)(2)(ii)–(iv).

D. Reasonable Progress Goals

Section 51.308(f)(3)(i) requires a state in which a Class I area is located to establish RPGs—one each for the most impaired and clearest days—reflecting the visibility conditions that will be achieved at the end of the implementation period as a result of the emission limitations, compliance schedules and other measures required under paragraph (f)(2) in states' long-term strategies, as well as implementation of other CAA requirements.

After establishing its long-term strategy, Montana developed reasonable progress goals for each Class I area for the 20% most impaired days and 20% clearest days based on the results of 2028 WRAP modeling (table 3).[54]

TABLE 3—REASONABLE PROGRESS GOALS FOR THE 20% MOST IMPAIRED DAYS AND 20% CLEAREST DAYS FOR MONTANA CLASS I AREAS

Class I area	20% Most impaired days			20% Clearest days	
	Average baseline conditions (2000–2004)	2028 Uniform progress goal	2028 Reasonable progress goal [1]	Average baseline conditions (2000–2004)	2028 Reasonable progress goal
	Deciviews				
Anaconda-Pintler Wilderness Area, Selway-Bitterroot Wilderness Area (SULA1)	10.06	9.12	8.01	2.57	1.51
Bob Marshall Wilderness Area, Mission Mountains Wilderness Area, Scapegoat Wilderness Area (MONT1)	11	10.02	9.51	3.86	2.33
Cabinet Mountains Wilderness Area (CABI1)	10.73	10.36	9.41	3.62	2.21
Gates of the Mountains Wilderness Area (GAMO1)	8.95	8.31	7.12	1.71	0.53
Glacier National Park (GLAC1)	15.89	13.78	12.92	7.22	5.10
Medicine Lake Wilderness Area (MELA1)	16.62	14.92	14.85	7.27	6.12
Red Rock Lakes National Wildlife Refuge, Yellowstone National Park (YELL2)	8.3	7.26	6.97	2.58	1.21
UL Bend Wilderness Area (ULBE1)	12.76	12.05	10.62	4.75	3.58

[1] Based on WRAP 2028OTBa2.

The reasonable progress goals are based on Montana's long-term strategy, the long-term strategy of other states that may affect Class I areas in Montana, and other CAA requirements. In accordance with 51.308(f)(3)(ii)(A)–(B), if the RPG in 2028 for the most impaired days is above the URP (*i.e.,* if visibility conditions are improving more slowly than the rate described by the URP), each state that contributes to visibility impairment in the Class I area must demonstrate, based on the four-factor analysis required under 40 CFR 51.308(f)(2)(i), that no additional emission reduction measures would be reasonable to include in its long-term strategy.[55] Because Montana demonstrated in their 2022 SIP submission that all of their Class I areas are projected to be below the 2028 URP, no additional requirements apply under 40 CFR 51.308(f)(3)(ii).[56]

Per 40 CFR 51.308(f)(3)(iv), the EPA must evaluate the demonstrations the State developed pursuant to 40 CFR 51.308(f)(2) to determine whether the State's reasonable progress goals for visibility improvement provide for reasonable progress towards natural visibility conditions. As previously explained in section IV.C., we are proposing to approve Montana's long-term strategy for meeting the requirements of 40 CFR 51.308(f)(2) to meet the national goal of preventing future as well as existing visibility impairment due to manmade sources. Montana's reasonable progress goals incorporate Montana's long-term strategy requirements. Thus, we find that Montana's reasonable progress goals provide for an improvement in visibility for the most-impaired days since the baseline period and ensure no degradation in visibility on the clearest days since the baseline period.[57] Therefore, we propose to approve Montana's reasonable progress goals under 40 CFR 51.308(f)(3).

E. Reasonably Attributable Visibility Impairment (RAVI)

The RHR contains a requirement at 40 CFR 51.308(f)(4) related to any additional monitoring that may be needed to address visibility impairment in Class I areas from a single source or a small group of sources. This is called ''reasonably attributable visibility impairment,'' [58] also known as RAVI. Under this provision, if the EPA or the FLM of an affected Class I area has advised a state that additional monitoring is needed to assess RAVI, the state must include in its SIP revision for the second implementation period an appropriate strategy for evaluating such impairment. The EPA has not advised the State to that effect; nor did the State indicate that FLMs for Class I areas identified any RAVI from Montana sources. For this reason, the EPA proposes to approve the portions of Montana's 2022 SIP submission relating to 40 CFR 51.308(f)(4).

F. Monitoring Strategy and Other State Implementation Plan Requirements

Section 51.308(f)(6) specifies that each comprehensive revision of a state's regional haze SIP must contain or provide for certain elements, including

[53] *Id.* at 297–299.

[54] Montana 2022 SIP submission at 298–299.

[55] 40 CFR 51.308(f)(3)(ii).

[56] Montana 2022 SIP submission at 298–305.

[57] *Id.* at 297.

[58] The EPA's visibility protection regulations define ''reasonably attributable visibility impairment'' as ''visibility impairment that is caused by the emission of air pollutants from one, or a small number of sources.'' 40 CFR 51.301.

monitoring strategies, emissions inventories, and any reporting, recordkeeping and other measures needed to assess and report on visibility. A main requirement of this section is for states with Class I areas to submit monitoring strategies for measuring, characterizing, and reporting on visibility impairment. Compliance with this requirement may be met through participation in the IMPROVE network.

Under 40 CFR 51.308(f)(6)(i), states must provide for the establishment of additional monitoring sites or equipment needed to assess whether reasonable progress goals to address regional haze for all mandatory Class I Federal areas within the state are being achieved. For states with Class I areas (including Montana), § 51.308(f)(6)(ii) requires SIPs to provide for procedures by which monitoring data and other information are used in determining the contribution of emissions from within the state to regional haze visibility impairment at mandatory Class I Federal areas both within and outside the state. Section 51.308(f)(6)(iv) requires the SIP to provide for the reporting of all visibility monitoring data to the Administrator at least annually for each Class I area in the state. 40 CFR 51.308(f)(6)(v) requires SIPs to provide for a statewide inventory of emissions of pollutants that are reasonably anticipated to cause or contribute to visibility impairment, including emissions for the most recent year for which data are available. Section 51.308(f)(6)(v) also requires states to include estimates of future projected emissions. Finally, 40 CFR 51.308(f)(6)(vi) requires the SIP to provide for any other elements, including reporting, recordkeeping, and other measures, that are necessary for states to assess and report on visibility.

Montana describes its participation in the IMPROVE network, which comprises 110 monitoring sites across the nation, eight of which are in Montana. The State relied on the IMPROVE monitoring network to assess visibility at Class I areas across Montana [59] and considered the ten monitoring sites CABI1, GAMO1, GLAC1, MELA1, MONT1, NOAB1, SULA1, THRO1, ULBE1, and YELL2 to be adequate for assessing reasonable progress goals at the State's 12 Class I areas.[60] Using the monitoring data procedures described in its 2022 SIP submission along with other technical information supplied by WRAP,[61] [62] Montana determined the contribution of in-State emissions to Class I areas inside and outside Montana.[63] In addition, Montana also provided a statewide inventory of emissions that are reasonably anticipated to cause or contribute to visibility impairment in Class I areas; Montana relied primarily on 2014–2017 data but also estimated future projected emissions.[64]

The EPA finds that Montana has met the requirements of 40 CFR 51.308(f)(6), including through its continued participation in the IMPROVE network and WRAP RPO and its ongoing compliance with the Air Emissions Reporting Requirements (AERR). There is no indication that further SIP elements are necessary at this time for Montana to assess and report on visibility. Therefore, the EPA proposes to approve the monitoring strategy and other state implementation plan elements of Montana's 2022 SIP submission as meeting the requirements of 40 CFR 51.308(f)(6).

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

40 CFR 51.308(f)(5) requires that periodic comprehensive revisions of states' regional haze plans also address the progress report requirements of 40 CFR 51.308(g)(1) through (5). The purpose of these requirements is to evaluate progress towards the applicable RPGs for each Class I area within the state and each Class I area outside the state that may be affected by emissions from within that state. Sections 51.308(g)(1) and (2) apply to all states and require a description of the status of implementation of all measures included in a state's first implementation period regional haze plan and a summary of the emission reductions achieved through implementation of those measures. Section 51.308(g)(3) applies only to states with Class I areas within their borders and requires such states to assess current visibility conditions, changes in visibility relative to baseline (2000–2004) visibility conditions, and changes in visibility conditions relative to the period addressed in the first implementation period progress report. Section 51.308(g)(4) applies to all states and requires an analysis tracking changes in emissions of pollutants contributing to visibility impairment from all sources and sectors since the period addressed by the first implementation period progress report. This provision further specifies the year or years through which the analysis must extend depending on the type of source and the platform through which its emission information is reported. Finally, 40 CFR 51.308(g)(5), which also applies to all states, requires an assessment of any significant changes in anthropogenic emissions within or outside the state that have occurred since the period addressed by the first implementation period progress report, including whether such changes were anticipated and whether they have limited or impeded expected progress towards reducing emissions and improving visibility.

In its 2022 SIP submission, Montana included the elements of the periodic progress report specified in 40 CFR 51.308(f)(5) and 40 CFR 51.308(g)(1)–(5). Montana summarized the facility improvements made during and after the first implementation period, including emission control measures installed and emission reductions achieved by the facilities that most affected each Class I area, and summarized the associated emission reductions.[65] In addition, the State summarized the implementation status of ongoing air pollution control programs, measures to mitigate construction activities, source retirement and replacement schedules, and smoke management practices and programs.[66] The EPA finds that Montana has met the requirements of 40 CFR 51.308(g)(1) and (2) because Montana's 2022 SIP submission describes the measures included in the long-term strategy from the first implementation period, as well as the status of their implementation and the emission reductions achieved through such implementation.

Visibility conditions (in deciviews) are reported in Montana's 2022 SIP submission for the most impaired and clearest days. Visibility conditions are expressed in terms of 5-year averages for the baseline period (2000–2004), ''natural visibility conditions'' for the 2000–2014 period, previous implementation period (2008–2012), and current period (2014–2018), as well as the progress made since the baseline period ((2000–2004)–(2008–2012)) and during the last implementation period ((2008–2012)–(2014–2018)).[67] The EPA therefore finds that Montana has

[59] Montana 2022 SIP submission at 18–27.

[60] *Id.* at 21.

[61] *Id.* at 33–43.

[62] Montana relied on the WRAP Technical Support System (TSS) ''Analysis and Planning'' section to determine baseline, natural, and current conditions for Class I areas in Montana. *https://views.cira.colostate.edu/tssv2/.*

[63] Montana 2022 SIP submission at 282–296.

[64] *Id.* at 126–150.

[65] *Id.* at 47–52.

[66] *Id.* at 54–55; 130–132.

[67] *Id.* at 73–77.

satisfied the requirements of 40 CFR 51.308(g)(3).

The State used the most current emissions inventory available—the 2017 national emissions inventory—to provide emissions inventories for NO_X, SO_2, VOC, ammonia (NH_3), and PM that identify the type of source, activity, and pollutant.[68] Montana also provided an assessment and discussion of the significant changes in anthropogenic emissions since the first implementation period.[69] The EPA finds that the requirements of 40 CFR 51.308(g)(4) and (g)(5) are satisfied by providing emissions of pollutants contributing to visibility impairment within the State and assessing any significant changes in anthropogenic emissions within or outside the State that have occurred since the period addressed in the most recent plan.

Because Montana's 2022 SIP submission addresses the requirements of 40 CFR 51.308(g)(1) through (5), the EPA finds that Montana has met the progress report requirements of 40 CFR 51.308(f)(5). Therefore, we propose to approve Montana's 2022 SIP submission as meeting the requirements of 40 CFR 51.308(f)(5) and 40 CFR 51.308(g) for periodic progress reports.

H. Requirements for State and Federal Land Manager Coordination

Section 169A(d) of the CAA requires states to consult with FLMs before holding the public hearing on a proposed regional haze SIP, and to include a summary of the FLMs' conclusions and recommendations in the notice to the public. In addition, the 40 CFR 51.308(i)(2) FLM consultation provision requires a state to provide FLMs with an opportunity for consultation that is early enough in the state's policy analyses of its emission reduction obligation so that information and recommendations provided by the FLMs can meaningfully inform the state's decisions on its long-term strategy. If the consultation has taken place at least 120 days before a public hearing or public comment period, the opportunity for consultation will be deemed early enough. Regardless, the opportunity for consultation must be provided at least 60 days before a public hearing or public comment period at the state level. Section 51.308(i)(2) also lists two substantive topics on which FLMs must be provided an opportunity to discuss with states: assessment of visibility impairment in any Class I area and recommendations on the development and implementation of strategies to address visibility impairment. Section 51.308(i)(3) requires states, in developing their implementation plans, to include a description of how they addressed FLMs' comments.

Montana's 2022 SIP submission summarizes the State's consultation and coordination with the FLMs. Montana consulted and coordinated with the FLMs during the development of its regional haze SIP through WRAP participation and direct FLM engagement.[70] On September 27, 2021, Montana submitted the State's draft regional haze plan to the FLMs for consultation and received comments thereafter. Montana subsequently analyzed the FLMs comments, modified the draft regional haze plan, summarized and responded to each comment, and included the information in an appendix to its SIP submission which was made available for public comment.[71] The State explained how it is committed to coordinating and consulting with the FLMs during the development of future progress reports and SIP submissions, as well as during the implementation of programs having the potential to contribute to visibility impairment in Class I areas.[72]

Montana took administrative steps to provide the FLMs the opportunity to review and provide feedback on the State's draft regional haze plan. Therefore, the EPA proposes to approve the FLM consultation component of Montana's SIP submission which meets the requirements of 40 CFR 51.308(i) and CAA 169A(d), as outlined in this section.

V. Interstate Transport Prong 4 (Visibility) for the 2015 Ozone NAAQS Infrastructure SIP

A. Background on Infrastructure SIPs

Under CAA sections 110(a)(1) and 110(a)(2), each state is required to submit a SIP that provides for the implementation, maintenance, and enforcement of each primary or secondary NAAQS. Moreover, CAA sections 110(a)(1) and 110(a)(2) require each state to make this new SIP submission within three years (or less, if the Administrator so prescribes) after promulgation of a new or revised NAAQS. This type of SIP submission is commonly referred to as an ''infrastructure SIP.'' The overall purpose of the infrastructure SIP requirements is to ensure that the necessary structural components of each state's air quality management program are adequate to meet the state's responsibilities for the new or revised NAAQS. Overall, the infrastructure SIP submission process provides an opportunity for the responsible air agency, the public, and the EPA to review the basic structural requirements of the air agency's air quality management program in light of each new or revised NAAQS.

CAA section 110(a)(2)(D) has two components: 110(a)(2)(D)(i) and 110(a)(2)(D)(ii). CAA section 110(a)(2)(D)(i) includes four distinct components, commonly referred to as ''prongs,'' that must be addressed in infrastructure SIP submissions. The first two prongs, which are codified in CAA section 110(a)(2)(D)(i)(I), prohibit any source or other type of emissions activity in one state from contributing significantly to nonattainment of the NAAQS in another state (prong 1) and from interfering with maintenance of the NAAQS in another state (prong 2). The third and fourth prongs, which are codified in CAA section 110(a)(2)(D)(i)(II), prohibit emissions activity in one state from interfering with measures required to prevent significant deterioration of air quality in another state (prong 3) or from interfering with measures to protect visibility in another state (prong 4).

B. Prong 4 Requirements

CAA section 110(a)(2)(D)(i)(II) requires SIPs to contain provisions prohibiting sources in a state from emitting pollutants in amounts that interfere with any other state's efforts to protect visibility under part C of the CAA (which includes sections 169A and 169B). The EPA issued guidance on infrastructure SIPs in a September 13, 2013 memorandum from Stephen D. Page titled ''Guidance on Infrastructure State Implementation Plan (SIP) Elements under Clean Air Act sections 110(a)(1) and 110(a)(2)'' (''2013 Guidance''). The 2013 Guidance states that these prong 4 requirements can be satisfied by approved SIP provisions that the EPA has found to adequately address any contribution of that state's sources that impact the visibility program requirements in other states.[73] The 2013 Guidance also states that ''[t]he EPA interprets this prong to be pollutant-specific, such that the infrastructure SIP submission need only address the potential for interference with protection of visibility caused by the pollutant (including precursors) to

[68] *Id.* at 127–136.

[69] *Id.* at 63–67.

[70] *Id.* at 30, 44.

[71] *Id.* at appendix F, I.

[72] *Id.* at 306.

[73] 2013 Guidance at 32–33.

which the new or revised NAAQS applies.'' [74]

The 2013 Guidance lays out how a state's infrastructure SIP may satisfy prong 4. In the second implementation period, confirmation that the state has a fully approved regional haze SIP that fully meets the requirements of 40 CFR 51.308 or 51.309 will satisfy the requirements of prong 4.[75] The regulations at 40 CFR 51.308 and 51.309 ''specifically require that a state participating in a regional planning process include all measures needed to achieve its apportionment of emission reduction obligations agreed upon through that process.'' [76] A fully approved regional haze SIP [77] will ensure that emissions from sources under an air agency's jurisdiction are not interfering with measures required to be included in other air agencies' plans to protect visibility.

On October 26, 2015, the EPA revised the 8-hour ozone NAAQS to 70 parts per billion.[78] States were required to submit infrastructure SIPs within three years of promulgation of the revised NAAQS. On October 1, 2018, Montana submitted an infrastructure SIP to address the CAA section 110(a)(1) and (2) requirements for the 2015 ozone NAAQS (hereafter ''2018 Infrastructure SIP''). Through this action, the EPA is proposing to approve the prong 4 portion of Montana's 2018 Infrastructure SIP submission. All other applicable infrastructure SIP requirements for this submission have been or will be addressed in separate rulemakings.[79]

C. Montana's Infrastructure SIP Submission

To satisfy the prong 4 requirements for the 2015 ozone NAAQS, Montana's 2018 Infrastructure SIP points to their Visibility Plan, and to the EPA's FIP for the first planning period.[80] Montana's 2018 Infrastructure SIP cites language from the EPA's 2013 Guidance which stated that a FIP could not be relied upon to meet the requirements of element 110(a)(2)(D)(i)(II) related to visibility.[81] However, subsequent to Montana's 2018 Infrastructure SIP submission, Montana submitted a SIP revision addressing regional haze for the first implementation period to replace portions of EPA's FIP on March 25, 2020. The EPA approved Montana's 2020 SIP submission on June 26, 2023.[82] As will be discussed further in the following section, the EPA is proposing to find that the first implementation period requirements are covered by the EPA's approval of Montana's March 25, 2020 SIP revision.

D. The EPA's Evaluation of Montana's Infrastructure SIP Submission

With this action, the EPA is proposing to approve Montana's 2022 SIP Submission addressing the regional haze requirements for the second implementation period. Regarding the first implementation period, the EPA is proposing to find that Montana's SIP is fully approved for the purposes of meeting the prong 4 requirements. Because Montana's March 25, 2020 SIP submission replaced all of the enforceable requirements from the 2012 FIP, the entire FIP as previously codified at 40 CFR 52.1396 [83] was removed.[84] Specifically, the EPA stated in our June 26, 2023 final approval of Montana's 2020 SIP revision that we were ''approving the emission limits, compliance determination requirements, and other monitoring, reporting, and recordkeeping requirements associated with BART into Montana's SIP,'' but that ''other regional haze requirements for the first implementation period, including requirements related to reasonable progress and analytical requirements related to BART remain satisfied by EPA's FIP (with no enforceable FIP requirements left in the CFR).'' [85] Although the FIP previously satisfied certain BART-related requirements for the first implementation period, the EPA finds that the final 2023 full approval of all of the enforceable first implementation period requirements into the Montana SIP represents a fully approved regional haze SIP for that period that ''will ensure that emissions from sources under an air agency's jurisdiction are not interfering with measures required to be included in other air agencies' plans to protect visibility.'' [86] For these reasons, the EPA is also proposing to find that Montana's SIP fulfills the prong 4 requirement for the 2015 ozone NAAQS, and thus proposes to approve this portion of Montana's 2018 Infrastructure SIP.

VI. Proposed Action

The EPA is proposing approval of Montana's 2022 SIP submission addressing the requirements of the second implementation period of the RHR. Specifically, the EPA is proposing approval for the portions of Montana's 2022 SIP submission relating to 40 CFR 51.308(f)(1): calculations of baseline, current, and natural visibility conditions, progress to date, and the uniform rate of progress; 40 CFR 51.308(f)(2): long-term strategy; 40 CFR 51.308(f)(3): reasonable progress goals; 40 CFR 51.308(f)(4): reasonably attributable visibility impairment; 40 CFR 51.308(f)(5) and 40 CFR 51.308(g): progress report requirements; 40 CFR 51.308(f)(6): monitoring strategy and other implementation plan requirements; and 40 CFR 51.308(i): FLM consultation. The EPA is also proposing approval of the CAA section 110(a)(2)(D)(i) prong 4 (visibility) portion of Montana's October 1, 2018 Infrastructure SIP submission addressing the 2015 ozone NAAQS.

VII. 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 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 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

[74] *Id.* at 33.

[75] The EPA acknowledges that in the 2013 Guidance, we indicated that the EPA may find it appropriate to supplement the guidance regarding the relationship between regional haze SIPs and prong 4 after second implementation period SIPs become due, which occurred on July 31, 2021. After a review of the 2013 Guidance and the second implementation period regional haze requirements, the EPA maintains the interpretation that a fully approved regional haze SIP satisfies prong 4 requirements in the second implementation period.

[76] 2013 Guidance at 33.

[77] Since second implementation period SIPs became due, a ''fully approved regional haze SIP'' would necessarily include fully approved first and second implementation period regional haze SIPs.

[78] 80 FR 65929 (October 26, 2015).

[79] 87 FR 21578 (April 12, 2022), 90 FR 31911 (July 16, 2025).

[80] 77 FR 57864 (September 18, 2012).

[81] Montana's 2018 Infrastructure SIP at 22.

[82] 88 FR 41320 (June 26, 2023).

[83] 77 FR 57915–57919 (September 18, 2012)

[84] 88 FR 41326 (June 26, 2023).

[85] 88 FR 41322 (June 26, 2023).

[86] 2013 Guidance at 33.

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 in 40 CFR Part 52

Environmental protection, Air pollution control, Carbon monoxide, Greenhouse gases, 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 28, 2025.

Cyrus M. Western,

Regional Administrator, Region 8.

For the reasons stated in the preamble, the Environmental Protection Agency proposes to amend 40 CFR part 52 as follows:

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

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

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

Subpart BB—Montana

■ 2. In § 52.1370:

■ a. In the table in paragraph (e):

■ i. Under the center heading ''(1) Statewide'', add the entries ''Montana Regional Haze State Implementation Plan'' and ''Interstate Transport Requirements of the CAA, section 110(a)(2)(D)(i)(II) prong 4, for the 2015 Ozone NAAQS'' after the entry ''Interstate Transport Requirements of the CAA, section 110(a)(2)(D)(i)(I), for the 2015 Ozone NAAQS'' to read as follows:

§ 52.1370 Identification of plan.

* * * * *

(e) * * *

Title/subject	State effective date	Notice of final rule date	NFR citation
(1) Statewide			
* *	*	* *	* *
Montana Regional Haze State Implementation Plan.	8/10/2022	[date of publication of the final rule in the **Federal Register**].	90 FR [**Federal Register** page where the document begins of the final rule].
Interstate Transport Requirements of the CAA, section 110(a)(2)(D)(i)(II) prong 4, for the 2015 Ozone NAAQS.	8/22/2018	[date of publication of the final rule in the **Federal Register**].	90 FR [**Federal Register** page where the document begins of the final rule].
* *	*	* *	* *

[FR Doc. 2025–17499 Filed 9–10–25; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R09–OAR–2024–0210; FRL–11949–01–R9]

Air Plan Approval; California; Mojave Desert Air Quality Management District; Replacing Outdated Requirements

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The Environmental Protection Agency (EPA) is proposing to approve revisions to the Mojave Desert Air Quality Management District (MDAQMD or ''District'') portion of the California State Implementation Plan (SIP). These revisions concern amended or rescinded prohibitory and administrative rules that regulate air pollutants under the Clean Air Act (CAA or ''Act''). We are proposing to rescind numerous requirements from the District's portion of the California SIP because the requirements can be replaced by more current requirements. We are taking comments on this proposal and plan to follow with a final action.

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

ADDRESSES: Submit your comments, identified by Docket ID No. EPA–R09–OAR–2024–0210 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 disabilities 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 is the background for this proposed action?

Under the CAA, the EPA has established National Ambient Air Quality Standards (NAAQS) for certain pervasive air pollutants, including, among others, ozone and particulate matter (PM). Under CAA section 110(a), states are required to adopt and submit SIPs to implement, maintain, and enforce the NAAQS. Under CAA section 107(d), the EPA has designated all areas of the country as attainment, nonattainment, or unclassifiable for the NAAQS. Areas designated as nonattainment must adopt and submit SIP revisions that, among other things, provide for attainment of the NAAQS by the applicable attainment date.

The MDAQMD regulates stationary sources of air pollution within California's ''Mojave Desert Air Basin,'' which lies within the previously designated ''Southeast Desert Air Basin.'' [1] The MDAQMD's jurisdiction includes the desert portion of San Bernardino County and the far eastern portion of Riverside County.[2] The EPA has designated two areas in the San Bernardino County portion of the District as nonattainment areas for PM equal to or less than 10 microns in diameter (PM_{10}): (1) the Trona planning area, located in the northwestern portion of the county, and (2) the larger San Bernardino nonattainment area that covers the remaining portion of San Bernardino County regulated by the MDAQMD, excluding the Trona planning area.[3] A portion of San Bernardino County within the District is also in the West Mojave Desert ozone nonattainment area.[4] The Riverside County portion of the District is designated as unclassifiable/attainment for all the NAAQS.

In 1972, when the original California SIP was submitted and approved by the EPA, the San Bernardino County Air Pollution Control District (SBCAPCD) had jurisdiction over stationary sources within all of San Bernardino County, and the Riverside County Air Pollution Control District (RCAPCD) had jurisdiction over stationary sources within all of Riverside County. On July 16, 1975, the Los Angeles County Air Pollution Control District (LACAPCD), Orange County Air Pollution Control District (OCAPCD), RCAPCD, and SBCAPCD were unified into the Southern California Air Pollution Control District (''SoCalAPCD''). On February 1, 1977, California split the SoCalAPCD into four agencies. The western coastal area became regulated by the South Coast Air Quality Management District (SCAQMD) and the remaining eastern desert portions of Los Angeles, San Bernardino, and Riverside Counties were seperated back into air pollution control districts for each county (*i.e.,* LACAPCD, SBCAPCD, and RCAPCD). The original jurisdiction of the SCAQMD covered an area referred to as the ''South Coast Air Basin'' that included all of Orange County and the western non-desert portions of Los Angeles, Riverside, and San Bernardino Counties. The jurisdiction of the LACAPCD, SBCAPCD, and RCAPCD extended over a portion of an air basin referred to as the ''Southeast Desert Air Basin.'' [5]

The Southeast Desert Air Basin portion of Riverside County was added to the SCAQMD on December 1, 1977. Effective December 1, 1977, under state law, all SCAQMD Rules and Regulations became applicable within the Southeast Desert Air Basin portion of Riverside County.[6] In 1982, the applicability of SCAQMD rules that had been approved as part of the California SIP was extended to the Southeast Desert Air Basin portion of Riverside County.[7] On July 1, 1993, the SBCAPCD was re-formed as the MDAQMD with jurisdiction in the desert portion of San Bernardino County. On July 1, 1994, the Palo Verde Valley area in far eastern Riverside County (and that is a part of the Southeast Desert Air Basin portion of Riverside County) left the SCAQMD and joined the MDAQMD.[8] No changes to the District's boundaries have been made since 1994 and, as stated above, today the MDAQMD's jurisdiction is within the Mojave Desert Air Basin and consists of the desert portion of San Bernardino County and the Palo Verde Valley area in the far eastern portion of Riverside County.

An outgrowth of the complicated regulatory history of the MDAQMD is that the applicable portion of the California SIP for the area that the District regulates consists of a mixture of rules from current and former agencies. Rules that have been adopted by the MDAQMD apply ''District-wide,'' meaning to the desert portion of San Bernardino County and the Palo Verde Valley area in the far eastern portion of Riverside County, while SBCAPCD rules apply only in the San Bernardino County portion of the District; and rules adopted by the RCAPCD, SoCalAPCD, or the SCAQMD only apply in the Riverside County portion of the District.

B. Which rules has the MDAQMD amended or rescinded?

The California Air Resources Board (CARB) submitted revisions to the MDAQMD portion of the California SIP, including MDAQMD rules and rescissions, to the EPA for approval on the following dates: September 23, 2022,[9] November 30, 2022,[10] May 11,

[1] The two air basins are described in the California Air Resources Board's (CARB's), ''Initial Statement of Reasons for Proposed Rulemaking, Proposed Amendments to Divide the Southeast Desert Air Basin and to Modify the Boundary of the South Coast Air Basin and Proposed Amendments to the Related Agricultural Burning Regulations,'' April 1996.

[2] San Bernardino County is a large county covering over 20,000 square miles, the majority of which is desert within the Mojave Desert (also known locally as the ''High Desert'' based on its elevation). MDAQMD's jurisdiction in the eastern portion of Riverside County is in the Palo Verde Valley area that is approximately 30 miles wide along the eastern boundary of the county adjoining the State of Arizona. *See also, https://www.mdaqmd.ca.gov/about-us/district-boundaries.*

[3] 40 CFR 81.305—''California—PM–10'' table of area designations.

[4] 40 CFR 81.305. The West Mojave Desert ozone nonattainment area also includes the Antelope Valley portion of Los Angeles County.

[5] 43 FR 25684 (June 14, 1978).

[6] Letter dated August 11, 1980, from Gary Rubenstein, Deputy Executive Officer, CARB to Paul DeFalco, Jr., EPA Regional Administrator.

[7] 47 FR 25013 (June 9, 1982).

[8] The Palo Verde Valley portion of the MDAQMD covers an area approximately 30 miles wide along the eastern boundary of the county adjoining the State of Arizona.

[9] CARB submitted the SIP revision electronically on September 23, 2022 as an enclosure to a transmittal letter dated September 23, 2022.

[10] CARB submitted the SIP revision electronically on November 30, 2022 as an enclosure to a transmittal letter dated November 22, 2022.

2023,[11] and January 10, 2024.[12] The purpose of these submissions is to align the SIP versions of the rules with the current versions in effect in the MDAQMD.[13] In the May 11, 2023 submission, the MDAQMD clarified that the package of amended rules and rescissions that were submitted includes the rescission of all the existing SIP rules comprising SCAQMD ''Regulation VII—Emergencies,'' as applicable in the Riverside County portion of the MDAQMD.[14] We have already taken action on some of the rules and rescissions included in these submissions,[15] and we are proposing action herein on a second set of rules and rescissions. The remaining rules and rescissions included in these submissions will be addressed in separate, future rulemakings.

The current rulemaking is summarized in the tables below. Table 1 of this document lists the rules that are covered by this proposed action and submitted for approval as part of the MDAQMD portion of the SIP, with the dates they were adopted by the MDAQMD and submitted to the EPA by CARB. Table 2 of this document lists the rules submitted for rescission from the MDAQMD portion of the SIP (excluding Regulation VII rules) that are covered by this proposed action, with the dates that they were adopted by the MDAQMD, the dates they were submitted by CARB, and the dates (and associated **Federal Register** citations) that the rules were previously approved by the EPA. Table 3 of this document lists the rules from Regulation VII submitted for rescission that are associated with the applicable SIP for the San Bernardino County portion of the MDAQMD portion of the California SIP, and Table 4 of this document lists the rules from Regulation VII submitted for rescission that are associated with the applicable SIP for the Riverside County portion of the MDAQMD portion of the California SIP.

TABLE 1—SUBMITTED RULES USED TO REPLACE SIP APPROVED RULES

Local agency	Rule No.	Rule title	Adopted/amended date	Submittal date
MDAQMD	[a] 464	Oil Water Separators	June 23, 2014	January 10, 2024.
MDAQMD	701	Air Pollution Emergency Contingency Actions	September 26, 2022	May 11, 2023.
MDAQMD	[a] 1102	Fugitive Emissions of VOCs from Components at Pipeline Transfer Stations.	October 26, 1994	January 10, 2024.
MDAQMD	[a] 1114	Wood Products Coating Operations	August 24, 2020	January 10, 2024.

[a] The January 10, 2024 SIP submission requests re-approval of existing SIP MDAQMD Rules 464, 1102, and 1114 to extend the applicability of the SIP rule throughout the District. See CARB Executive Order S–23–018, dated December 27, 2023, Attachment A.

TABLE 2—SUBMITTED RULE RESCISSIONS
[Excluding Regulation VII rules]

Local agency and rule No.	Title	Adopted/amended date	SIP approval date and FR citation	Date of rescission by MDAQMD	Submittal date
SCAQMD Rule 405 [a]	Solid Particulate Matter—Weight.	May 7, 1976	September 28, 1981, 46 FR 47451.	February 28, 2022	May 11, 2023.
SCAQMD Rule 409	Combustion Contaminants.	August 7, 1981	July 6, 1982, 47 FR 29231.	April 25, 2022	May 11, 2023.
SoCalAPCD Rule 432 [a]	Gasoline Specifications	May 7, 1976	June 14, 1978, 43 FR 25684.	April 25, 2022	September 23, 2022.
SBCAPCD Rule 432	Gasoline Specifications	February 1, 1977	September 8, 1978, 43 FR 40011.	April 25, 2022	September 23, 2022.
SCAQMD Rule 464 [a]	Wastewater Separators	April 4, 1980	January 21, 1981, 46 FR 5965.	August 28, 2023	January 10, 2024.
SoCalAPCD Rule 464	Oil and Water Separators.	May 7, 1976	June 14, 1978, 43 FR 25684.	August 28, 2023	January 10, 2024.
SCAQMD Rule 466	Pumps and Compressors.	October 7, 1983	January 15, 1987, 52 FR 1627.	June 26, 2023	January 10, 2024.
SBCAPCD Rule 466	Pumps and Compressors.	February 1, 1977	September 8, 1978, 43 FR 40011.	June 26, 2023	January 10, 2024.
SCAQMD Rule 466.1	Valves and Flanges	May 2, 1980	July 8, 1982, 47 FR 29668.	June 26, 2023	January 10, 2024.
SCAQMD Rule 467	Pressure Relief Devices.	March 5, 1982	November 16, 1983, 48 FR 52054.	June 26, 2023	January 10, 2024.
SBCAPCD Rule 467	Pressure Release Devices.	February 1, 1977	September 8, 1978, 43 FR 40011.	June 26, 2023	January 10, 2024.
SoCalAPCD Rule 470 [a b]	Asphalt Air Blowing	May 7, 1976	June 14, 1978, 43 FR 25684.	August 22, 2022	November 30, 2022.
SBCAPCD Rule 470	Asphalt Air Blowing	February 1, 1977	September 8, 1978, 43 FR 40011.	August 22, 2022	November 30, 2022.
SBCAPCD Rule 480	Natural Gas Fired Control Devices.	February 20, 1979	January 27, 1981, 46 FR 8471.	September 26, 2022	May 11, 2023.
SCAQMD Rule 1101 [a]	Secondary Lead Smelters/Sulfur Oxides.	October 7, 1977	September 2, 1981, 46 FR 43968.	June 26, 2023	January 10, 2024.
SCAQMD Rule 1104	Wood Flat Stock Coatings Operations.	March 1, 1991	June 23, 1994, 59 FR 32354.	August 28, 2023	January 10, 2024.

[11] CARB submitted the SIP revision electronically on May 11, 2023 as an enclosure to a transmittal letter dated May 10, 2023.

[12] CARB submitted the SIP revision electronically on January 10, 2024 as an enclosure to a transmittal letter dated December 27, 2023.

[13] Letter dated November 22, 2022, from Steven S. Cliff, Ph.D., Executive Officer, CARB to Martha Guzman, Regional Administrator, EPA Region IX.

[14] Email and attachments dated February 14, 2024, from Alan J. De Salvio (MDAQMD) to Jefferson Wehling (EPA, Subject: ''SIP Cleanup Followup Items''; see also, MDAQMD, Final Staff Report, Amendments to MDAQMD Rule 701—Air Pollution Emergency Contingency Actions and Rescission of Rules 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, and 712, amended on September 26, 2022, pp. 19.

[15] 89 FR 96103 (December 4, 2024).

TABLE 2—SUBMITTED RULE RESCISSIONS—Continued
[Excluding Regulation VII rules]

Local agency and rule No.	Title	Adopted/amended date	SIP approval date and FR citation	Date of rescission by MDAQMD	Submittal date
SCAQMD Rule 1175	Control of Emissions from the Manufacture of Polymeric Cellular (Foam) Products.	January 5, 1990	October 26, 1992, 57 FR 48457.	September 25, 2023	January 10, 2024.
SCAQMD Rule 1176	Sumps and Wastewater Separators.	January 5, 1990	October 26, 1992, 57 FR 48457.	August 28, 2023	January 10, 2024.

[a] SIP applicability was extended to the Southeast Desert Air Basin portion of Riverside County effective June 9, 1982. See 47 FR 25013 (June 9, 1982).
[b] The November 30, 2022 SIP submission also listed SCAQMD Rule 470. However, the version of Rule 470 that is currently part of the SIP for the Riverside County portion of the MDAQMD was adopted by the SoCalAPCD.

TABLE 3—SUBMITTED RULE RESCISSIONS
[Regulation VII rules applicable in the San Bernardino County portion of the MDAQMD]

Local agency and rule No.	Title	Adopted/amended date	SIP approval date and FR citation	Date of rescission by MDAQMD	Submittal date
SBCAPCD Rule 702	Air Monitoring Stations	July 25, 1977	June 3, 1980, 45 FR 37428.	September 26, 2022	May 11, 2023.
SBCAPCD Rule 703	Air Monitoring Summaries.	February 1, 1977	June 3, 1980, 45 FR 37428.	September 26, 2022	May 11, 2023.
SBCAPCD Rule 704	Episode Criteria	September 26, 1977	June 21, 1982, 47 FR 26618.	September 26, 2022	May 11, 2023.
SBCAPCD Rule 705	Episode Notification	September 26, 1977	June 21, 1982, 47 FR 26618.	September 26, 2022	May 11, 2023.
SBCAPCD Rule 706	Episode Declaration	February 1, 1977	June 3, 1980, 45 FR 37428.	September 26, 2022	May 11, 2023.
SBCAPCD Rule 707	First Stage Episode Actions.	September 26, 1977	June 21, 1982, 47 FR 26618.	September 26, 2022	May 11, 2023.
SBCAPCD Rule 708	Second Stage Episode Actions.	September 26, 1977	June 21, 1982, 47 FR 26618.	September 26, 2022	May 11, 2023.
SBCAPCD Rule 709	Third Stage Episode Actions.	September 26, 1977	June 21, 1982, 47 FR 26618.	September 26, 2022	May 11, 2023.
SBCAPCD Rule 710	Inter-district Coordination	September 26, 1977	June 21, 1982, 47 FR 26618.	September 26, 2022	May 11, 2023.
SBCAPCD Rule 711	Termination of Episodes	September 26, 1977	June 21, 1982, 47 FR 26618.	September 26, 2022	May 11, 2023.
SBCAPCD Rule 712	Advisory Council	September 26, 1977	June 21, 1982, 47 FR 26618.	September 26, 2022	May 11, 2023.

TABLE 4—SUBMITTED RULE RESCISSIONS
[Regulation VII rules applicable in the Riverside County Portion of the MDAQMD]

Local agency and rule No.	Title	Adopted/amended date	SIP approval date and FR citation [a]	Date of rescission by MDAQMD	Submittal date
SCAQMD Rule 701	General	April 4, 1980	September 28, 1981, 46 FR 47451.	September 26, 2022	May 11, 2023.
SCAQMD Rule 702(a), (d), (e), (f), (h) and (i).	Definitions	April 4, 1980	September 28, 1981, 46 FR 47451.	September 26, 2022	May 11, 2023.
SCAQMD Rule 702(b)	Definitions	July 11, 1980	September 28, 1981, 46 FR 47451.	September 26, 2022	May 11, 2023.
SCAQMD Rule 702(c)	Definitions	May 6, 1977	May 26, 1978, 43 FR 22719.	September 26, 2022	May 11, 2023.
SCAQMD Rule 702 (map only)	Definitions	July 8, 1977	December 21, 1978, 43 FR 59490.	September 26, 2022	May 11, 2023.
SCAQMD Rule 703	Episode Criteria	April 4, 1980	September 28, 1981, 46 FR 47451.	September 26, 2022	May 11, 2023.
SCAQMD Rule 704	Episode Declaration	April 4, 1980	September 28, 1981, 46 FR 47451.	September 26, 2022	May 11, 2023.
SCAQMD Rule 705	Termination of Episodes.	April 4, 1980	September 28, 1981, 46 FR 47451.	September 26, 2022	May 11, 2023.
SCAQMD Rule 706	Episode Notification	April 4, 1980	September 28, 1981, 46 FR 47451.	September 26, 2022	May 11, 2023.
SCAQMD Rule 707	Radio Communication System.	July 11, 1980	September 28, 1981, 46 FR 47451.	September 26, 2022	May 11, 2023.
SCAQMD Rule 708	Plans	July 11, 1980	September 28, 1981, 46 FR 47451.	September 26, 2022	May 11, 2023.
SCAQMD Rule 708.1	Stationary Sources Required to File Plans.	May 6, 1977	May 26, 1978, 43 FR 22719.	September 26, 2022	May 11, 2023.
SCAQMD Rule 708.2	Content of Stationary Source Curtailment Plans.	July 8, 1977	December 21, 1978, 43 FR 59490.	September 26, 2022	May 11, 2023.
SCAQMD Rule 708.3	Transportation Management Plans.	July 9, 1982	June 1, 1983, 48 FR 24362.	September 26, 2022	May 11, 2023.
SCAQMD Rule 708.4(a) and (b)	Procedural Requirements for Plans.	July 11, 1980	September 28, 1981, 46 FR 47451.	September 26, 2022	May 11, 2023.

TABLE 4—SUBMITTED RULE RESCISSIONS—Continued
[Regulation VII rules applicable in the Riverside County Portion of the MDAQMD]

Local agency and rule No.	Title	Adopted/amended date	SIP approval date and FR citation [a]	Date of rescission by MDAQMD	Submittal date
SCAQMD Rule 708.4(c), (d), (e), and (f).	Procedural Requirements for Plans.	May 6, 1977	May 26, 1978, 43 FR 22719.	September 26, 2022	May 11, 2023.
SCAQMD Rule 708.4(g) and (h)	Procedural Requirements for Plans.	April 4, 1980	September 28, 1981, 46 FR 47451.	September 26, 2022	May 11, 2023.
SCAQMD Rule 709(a)	First Stage Episode Actions.	April 4, 1980	September 28, 1981, 46 FR 47451.	September 26, 2022	May 11, 2023.
SCAQMD Rule 709(b), (d), (f), and (g).	First Stage Episode Actions.	May 6, 1977	May 26, 1978, 43 FR 22719.	September 26, 2022	May 11, 2023.
SCAQMD Rule 709(c)	First Stage Episode Actions.	February 1, 1980	September 28, 1981, 46 FR 47451.	September 26, 2022	May 11, 2023.
SCAQMD Rule 709(e)	First Stage Episode Actions.	July 11, 1980	September 28, 1981, 46 FR 47451.	September 26, 2022	May 11, 2023.
SCAQMD Rule 710(a) and (b)(4)	Second Stage Episode Actions.	April 4, 1980	September 28, 1981, 46 FR 47451.	September 26, 2022	May 11, 2023.
SCAQMD Rule 710(b)(1)(A)-(C), (b)(2)(A)-(C), (b)(3)(A), (c)(1), (c)(2), and (c)(3)(A).	Second Stage Episode Actions.	May 6, 1977	May 26, 1978, 43 FR 22719.	September 26, 2022	May 11, 2023.
SCAQMD Rule 710(b)(1)(D), (b)(2)(D), (b)(3)(B), and (c)(3)(B).	Second Stage Episode Actions.	July 11, 1980	September 28, 1981, 46 FR 47451.	September 26, 2022	May 11, 2023.
SCAQMD Rule 711(a)(1), (a)(4), (b)(1) and (b)(4).	Third Stage Episode Actions.	April 4, 1980	September 28, 1981, 46 FR 47451.	September 26, 2022	May 11, 2023.
SCAQMD Rule 711(b)(2)(A) and (B), (b)(3)(A), (c)(2)(A) and (B), and (c)(3)(A).	Third Stage Episode Actions.	May 6, 1977	May 26, 1978, 43 FR 22719.	September 26, 2022	May 11, 2023.
SCAQMD Rule 711(a)(1)(E), (a)(2)(D), (a)(3)(B), (a)(4)(F), (b)(3)(B), and (b)(4)(F).	Third Stage Episode Actions.	July 11, 1980	September 28, 1981, 46 FR 47451.	September 26, 2022	May 11, 2023.
SCAQMD Rule 713	Interdistrict Coordination.	April 4, 1980	September 28, 1981, 46 FR 47451.	September 26, 2022	May 11, 2023.
SCAQMD Rule 714	Source Inspections	April 4, 1980	September 28, 1981, 46 FR 47451.	September 26, 2022	May 11, 2023.
SCAQMD Rule 715	Burning of Fossil Fuel on Episode Days.	April 4, 1980	September 28, 1981, 46 FR 47451.	September 26, 2022	May 11, 2023.

[a] With the exception of SCAQMD Rule 708.3, the applicability of SCAQMD rules that had been approved as part of the California SIP was extended to the Southeast Desert portion of Riverside County through the EPA's final action published at 47 FR 25013 (June 9, 1982). The July 9, 1982 version of SCAQMD Rule 708.3 became part of the applicable SIP for the SCAQMD, including the Southeast Desert portion of Riverside County in 1983.

The September 23, 2022, November 30, 2022, May 11, 2023, and January 10, 2024 SIP submissions were deemed complete by operation of law with respect to the completeness criteria in 40 CFR part 51, appendix V on March 23, 2023, May 30, 2023, November 11, 2023, and July 10, 2024, respectively.

C. Are there other versions of the rules?

We approved an earlier version of MDAQMD Rule 701 as listed in Table 1 of this document that had been adopted by the MDAQMD's predecessor agency, the SBCAPCD. SBCAPCD Rule 701 was locally approved on September 26, 1977, and approved into the SIP on June 21, 1982.[16] If we finalize this rulemaking as proposed, then the SBCAPCD Rule 701 will be superseded in the applicable SIP by MDAQMD Rule 701. For the remaining rules listed in Table 1 of this document, MDAQMD Rules 464, 1102, and 1114, the EPA previously approved these versions into the SIP. These SIP rules are already federally enforceable District-wide because the EPA's approval occurred after the District's boundaries were finalized in 1994. As such, we propose no further action on MDAQMD Rules 464, 1102 and 1114 is needed at the present time.

D. What is the purpose of the rules?

Emissions of volatile organic compounds (VOC) and oxides of nitrogen (NO_X) contribute to the production of ground-level ozone, which harm human health and the environment. Emissions of PM, including PM equal to or less than 2.5 microns in diameter ($PM_{2.5}$) and PM equal to or less than 10 microns in diameter (PM_{10}), contribute to effects that are harmful to human health and the environment, including premature mortality, aggravation of respiratory and cardiovascular disease, decreased lung function, visibility impairment, and damage to vegetation and ecosystems.

CAA section 110(a)(2) requires states to submit regulations that control emissions of criteria air pollutants or their precursors, including VOCs, NO_X, and PM, as part of the SIP. Over the years, MDAQMD's predecessor agency, the SBCAPCD, adopted many administrative and prohibitory rules to meet SIP requirements, including those that are the subject of this proposed action, for the San Bernardino County portion of the MDAQMD portion of the California SIP. The RCAPCD, SoCalAPCD, and SCAQMD did the same for the Riverside County portion of the MDAQMD portion of the California SIP. The purpose of the SIP submissions in this rulemaking is to align the SIP versions of the rules applicable in these areas with those that are currently in effect in the MDAQMD, the agency that currently has jurisdiction to regulate these areas.

The EPA's technical support documents (TSDs) have more information about these rules. We have prepared one TSD for MDAQMD Rule 701 and related Regulation VII rule rescissions and a second TSD for all the other MDAQMD rules and rule rescissions included in this rulemaking.

II. The EPA's Evaluation and Action

A. How is the EPA evaluating the rules?

Under CAA section 110(l), SIP revisions must be adopted by the state, and the state must provide for reasonable public notice and hearing prior to adoption.[17] Emissions

[16] 47 FR 26618, June 21, 1982.

[17] The EPA has reviewed the SIP submissions covered in this proposed action for compliance

Continued

limitations in the SIP must be enforceable (see CAA section 110(a)(2)), must not interfere with applicable requirements concerning attainment and reasonable further progress or other CAA requirements (see CAA section 110(l)), and must not modify certain SIP control requirements in nonattainment areas without ensuring equivalent or greater emissions reductions (see CAA section 193). In approving new requirements into the SIP or removing existing requirements from the SIP, we consider whether these CAA requirements are met.

Generally, SIPs must require implementation of reasonably available control technology (RACT) for each category of sources covered by a Control Techniques Guidelines (CTG) document as well as each major source of VOCs and NO_X in ozone nonattainment areas classified as Moderate or above (see CAA section 182(b)(2) and 182(f)). A portion of the San Bernardino County portion of the MDAQMD is part of an ozone nonattainment area (referred to as ''West Mojave Desert'') that is classified as ''Severe'' for the 2008 and 2015 ozone NAAQS.[18] SIPs must also implement reasonably available control measures (RACM), including RACT, in ''Moderate'' $PM_{2.5}$/PM_{10} nonattainment areas (see CAA sections 172(c)(1) and 189(a)(1)(C)). The two PM_{10} nonattainment areas in the District are classified as Moderate (the Trona planning area and the remaining portion of San Bernardino County regulated by the MDAQMD, excluding the Trona planning area). Prior to rescinding requirements from the SIP, we consider whether the rescission would cause CAA requirements such as these to no longer be met. However, in this rulemaking, we are not evaluating the adequacy of the SIP under CAA sections 172(c)(1), 182(b)(2), 182(f), or 189(a)(1)(C). Such evaluations are generally performed in the context of our review of broader attainment plan SIP submittals.

Guidance and policy documents that we used to evaluate enforceability, revision/relaxation, and rule stringency requirements for the applicable criteria pollutants include the following:

1. ''Issues Relating to VOC Regulation Cutpoints, Deficiencies, and Deviations,'' EPA, May 25, 1988 (the Bluebook, revised January 11, 1990).

2. ''Guidance Document for Correcting Common VOC & Other Rule Deficiencies,'' EPA Region 9, August 21, 2001 (the Little Bluebook).

3. Letter dated February 12, 1990, from Johnnie L. Pearson, Chief Regional Activities Section, ROB (MD–15), to Chief, Air Branch, Region I–X, Subject: ''Review of State Regulation Recodifications.''

B. Do the rules meet the evaluation criteria?

The purpose of the submission of the MDAQMD rules and rescissions is to align the versions of the rules that are part of the SIP with the versions found in the current District rulebook. The rules that are the subject of this rulemaking can be organized into two categories. The first category includes rescissions of rules from the MDAQMD portion of the California SIP adopted by SBCAPCD, SoCalAPCD, or SCAQMD that can be replaced by the requirements in MDAQMD rules that we are either proposing to approve in this rulemaking or that we have previously approved. The second category includes rescissions of rules that were adopted by SBCAPCD, SoCalAPCD, or SCAQMD and that have been submitted for rescission without replacement by a corresponding MDAQMD rule. The following is a summary of our analysis. Our TSDs have more information on our analysis of the rules.

Category 1—Rescission or Supersession of Previously-Approved Rules With MDAQMD Rules

1. Rescission of SCAQMD Rule 405, ''Solid Particulate Matter—Weight,'' and Replacement With MDAQMD Rule 405, ''Solid Particulate Matter—Weight''

We are proposing to approve the rescission of SCAQMD Rule 405 from the Riverside County portion of the MDAQMD portion of the California SIP because it can be replaced by the requirements of MDAQMD Rule 405. The EPA previously approved MDAQMD Rule 405 in December 2024.[19] A comparison of the two rules shows that the requirements would be unchanged in the Riverside County portion of the MDAQMD except for equipment completed and put into service before July 1, 1976. However, any such equipment is not subject to SCAQMD Rule 405's emissions limitation because the equipment either has gas-fired combustion with minimal solid particulate emissions or is controlled by a baghouse and limited by MDAQMD Rule 404, ''Particulate Matter Concentration,'' or stack opacity limits. The EPA previously approved MDAQMD Rule 404 in December 2024.[20] Thus, the rescission of SCAQMD Rule 405 would not interfere with attainment and RFP or any other requirement of the Act for the purposes of CAA section 110(l).

2. Rescission of SCAQMD Rule 409, ''Combustion Contaminants,'' and Replacement With MDAQMD Rule 409, ''Combustion Contaminants''

We are proposing to approve the rescission of SCAQMD Rule 409 from the Riverside County portion of the MDAQMD portion of the California SIP because it can be replaced by MDAQMD Rule 409. The EPA previously approved MDAQMD Rule 409 in December 2024.[21] MDAQMD Rule 409 has the same emissions limit as SCAQMD Rule 409, and in the staff report for the rescission of SCAQMD Rule 409, the MDAQMD explained that MDAQMD Rule 409 applies more broadly because it does not include the internal combustion engine exclusion that exists in SCAQMD Rule 409.[22] Thus, the rescission of SCAQMD Rule 409 would not interfere with attainment and RFP or any other requirement of the Act for the purposes of CAA section 110(l).

3. Rescission of SCAQMD Rule 464, ''Wastewater Separators,'' and SoCalAPCD Rule 464, ''Oil and Water Separators,'' and Replacement With MDAQMD Rule 464, ''Oil Water Separators''

In response to this request, we are proposing that no action is necessary to rescind SoCalAPCD Rule 464 and SCAQMD Rule 464 because these rules were rescinded from the Riverside County portion of the MDAQMD portion of the California SIP in previous actions. SoCalAPCD Rule 464 was replaced by SCAQMD Rule 464 in 1981 and SCAQMD Rule 464 was replaced by MDAQMD Rule 464 in 1995.[23] Further, the submitted version of MDAQMD Rule 464 is the same version the EPA has already approved into the SIP and no further action is needed to approve this rule for the MDAQMD portion of the California SIP.[24] However, in our

with CAA procedural requirements and found that all such requirements have been met.

[18] 40 CFR 81.305.

[19] 89 FR 96103 (December 4, 2024).

[20] Id.

[21] 89 FR 96103 (December 4, 2024).

[22] MDAQMD, Staff Report, ''Rescission of SCAQMD Rule 409 — Combustion Contaminants from the SIP for the Blythe/Palo Verde Valley portion of the MDAQMD in Riverside County and replace it with the current MDAQMD Rule 409 - Combustion Contaminants,'' April 25, 2022, pp. 7.

[23] 46 FR 5965 (January 21, 1981) and 60 FR 49772 (September 27, 1995), respectively.

[24] MDAQMD Rule 464, ''Oil Water Separators'' as amended on June 23, 2014, was SIP-approved June 5, 2015 at (80 FR 32026). The EPA's 2015 approval of the June 23, 2014 version of MDAQMD Rule 464 replaced the previously-approved version of MDAQMD Rule 464 in the MDAQMD portion of the applicable California SIP. The June 23, 2014 version of MDAQMD Rule 464 is the current version of the rule in the MDAQMD portion of the applicable California SIP.

1981 and 1995 actions we did not revise the section of the Code of Federal Regulations (CFR) that contains the California SIP to reflect these replacements. We are proposing to correct this error by amending the CFR to reflect our prior actions to rescind SoCalAPCD Rule 464 and SCAQMD Rule 464 from the MDAQMD portion of the California SIP.

4. Rescission of SCAQMD Rule 1176, ''Sumps and Wastewater Separators,'' and Replacement With MDAQMD Rule 464, ''Oil Water Separators''

The EPA is proposing approval of the rescission of SCAQMD Rule 1176 from the Riverside County portion of the MDAQMD portion of the California SIP because it has been replaced by MDAQMD Rule 464. As applicable to the MDAQMD portion of the California SIP, the EPA approved SCAQMD Rule 1176 in 1992.[25] In the January 10, 2024 SIP submittal, the MDAQMD explained that, while SCAQMD Rule 1176 is primarily applicable to the petroleum refinery industry, it can also be applied to other similar equipment in different source categories.[26] The MDAQMD also explained that the District has adopted Federal Negative Declarations certifying that the petroleum refinery industry is not present within its jurisdiction.[27] The MDAQMD concluded that the District is only required to have a RACT rule for such other similar equipment, that MDAQMD Rule 464 provides such regulation, and that rescission of SCAQMD Rule 1176 is warranted on that basis.[28]

We agree with the MDAQMD's evaluation and conclusion, but we also note that the Riverside County portion of the MDAQMD is not subject to the RACT requirement because it is unclassifiable/attainment for all the NAAQS. As such, the rescission of SCAQMD Rule 1176 would not interfere with attainment and RFP or any other requirement of the Act for the purposes of CAA section 110(l).

5. Rescission of SBCAPCD Rules 702–714 and SCAQMD Regulation VII Rules and Replacement With MDAQMD Rule 701, ''Air Pollution Emergency Contingency Actions''

The EPA is proposing to rescind SBCAPCD Rules 702–714 (see Table 3 of this proposed rulemaking) and SCAQMD Regulation VII Rules (see Table 4 of this proposed rulemaking) because they can be replaced by our proposed approval of MDAQMD Rule 701. These rules relate to contingency plans to address air pollution emergency episodes under CAA section 110(a)(2)(G). Currently, the emergency episode contingency plan requirements for MDAQMD are provided through SBCAPCD Regulation VII rules approved by the EPA in 1980 and 1982 for the San Bernardino County portion of the MDAQMD and SCAQMD Regulation VII rules approved by the EPA in 1978, 1981 and 1983 for the Riverside County portion of the MDAQMD.[29] The emergency episode contingency plan rules approved for the SBCAPCD and SCAQMD for the MDAQMD are supplemented by the EPA's emergency episode contingency plan FIP promulgated at 40 CFR 52.274(p).

On September 26, 2022, MDAQMD adopted amendments to Rule 701 that update and consolidate the emergency episode contingency plan rules that had been codified as SBCAPCD Regulation VII, Rules 701 through 714.[30] As such, the amended Rule 701 represents an improvement in the existing SIP and, thus, we are proposing approval of MDAQMD Rule 701 and rescission of SBCAPCD Rules 702–714 and SCAQMD Regulation VII Rules because the amended emergency episode contingency plan rule would strengthen the SIP if approved.

The SIP submission did not request that these rule revisions be used as a basis to remove the existing FIP related to emergency episode contingency plans applicable within the District. Nonetheless, the EPA compared the amended MDAQMD Rule 701 with the requirements in 40 CFR 51.152 and found that amended MDAQMD Rule 701 meets some of the applicable requirements but not all of them. Our TSD for MDAQMD Rule 701 includes recommendations for revisions to MDAQMD Rule 701 that could allow for the removal of the FIP in the future.

6. Rescission of SBCAPCD Rule 466, ''Pumps and Compressors,'' SBCAPCD Rule 467, ''Pressure Relief Devices,'' SCAQMD Rule 466, ''Pumps and Compressors,'' SCAQMD Rule 466.1, ''Valves and Flanges,'' and SCAQMD Rule 467, ''Pressure Relief Devices,'' and Replacement With SIP-Approved MDAQMD Rule 1102, ''Fugitive Emissions of VOCs from Components at Pipeline Transfer Stations''

The EPA approved SBCAPCD Rules 466 and 467 in 1978.[31] In 1999, the EPA approved a request from MDAQMD to remove SBCAPCD Rules 466 and 467 from the SIP.[32] Thus, SBCAPCD Rules 466 and 467 are no longer a part of the San Bernardino County portion of the MDAQMD portion of the California SIP, and no further action is warranted in response to CARB's request for rescission of these two rules.

SCAQMD Rules 466, 466.1, and 467 became applicable to the Riverside County portion of the MDAQMD portion of the California SIP when they were approved by the EPA in 1987, 1982, and 1983, respectively.[33] SCAQMD Rules 466.1 and 467 apply to refineries and chemical plants, and SCAQMD Rule 466 applies more generally to ''any pump or compressor handling reactive organic compounds.'' [34] The MDAQMD provided a document [35] individually comparing SCAQMD Rules 466, 466.1, and 467 to SIP-approved MDAQMD Rules 446, 467, and 1102 that shows that the requirements in MDAQMD Rule 1102 are generally the same as or more stringent than those in the SCAQMD Rules and concluded that there is no need to retain SCAQMD Rules 466,

[25] 57 FR 48457 (October 26, 1992).

[26] MDAQMD Staff Report, ''State Implementation Plan Clean Up: Rescission of SCAQMD Rule 1176—Sumps and Wastewater Separators and Rule 464—Wastewater Separators as it appears in the SIP for the Blythe/Palo Verde Valley portion of the MDAQMD in Riverside County and replacement with the current SIP approved MDAQMD Rule 464—Oil Water Separators and Various Federal Negative Declarations,'' dated August 28, 2023, pp. 2.

[27] Id. The MDAQMD has EPA approved Federal Negative Declarations for the following CTG associated with petroleum refineries: ''Control of Volatile Organic Compound Leaks from Petroleum Refinery Equipment,'' EPA–450/2–78–036, June 1978, and ''Control of Refinery Vacuum Producing Systems, Wastewater Separators, and Process Unit Turnarounds,'' EPA–450/2–77–025, October 1977.

[28] Id. at 2 and 3.

[29] 43 FR 22719 (May 26, 1978), 43 FR 59490 (December 21, 1978), 45 FR 37428 (June 3, 1980), 46 FR 47451 (September 28, 1981), 47 FR 26618 (June 21, 1982) and 48 FR 24362 (June 1, 1983).

[30] SBCAPCD Rule 707, ''First Stage Episode Actions,'' revised September 26, 1977, SIP-approved June 21, 1982 (47 FR 26618) and SBCAPCD Rule 707, ''Plans,'' adopted February 1, 1977, SIP-approved June 3, 1980 (45 FR 37428). The latter SBCAPCD Rule 707 is unaffected by this proposed action and remains in the SIP.

[31] 43 FR 40011 (September 8, 1978).

[32] 64 FR 45175 (August 19, 1999); corrected at 69 FR 2509 (January 16, 2004). Also, see 40 CFR 52.220(c)(39)(ii)(G).

[33] 52 FR 1627 (January 15, 1987); 47 FR 29668 (July 8, 1982); 48 FR 52054 (November 16, 1983).

[34] SCAQMD Rule 466(b)(1).

[35] MDAQMD Staff Report, ''State Implementation Plan Clean Up: Rescission of SCAQMD Rules 466—Pumps and Compressors, 466.1—Valves and Flanges and 467—Pressure Relief Devices as they appear in the SIP for the Blythe/Palo Verde Valley portion of the MDAQMD; Remove previously rescinded MDAQMD Rules 466—Pumps and Compressors and 467—Pressure Relief Devices from the SIP for the San Bernardino County portion of the MDAQMD; and acknowledge the replacement of all rules with the SIP approved MDAQMD Rule 1102—Fugitive Emissions of VOCs from Components at Pipeline Transfer Stations and various Federal Negative Declarations,'' dated June 26, 2023, pp. 2 and 3.

466.1, and 467 in the Riverside County portion of the MDAQMD portion of the California SIP.[36] The EPA agrees with this assessment and finds that the rescission of SCAQMD Rules 466, 466.1, and 467 would not interfere with attainment and RFP or any other requirement of the Act for the purposes of CAA section 110(l). We, therefore, are proposing approval of the rescission of SCAQMD Rules 446, 466.1, and 467 from the Riverside County portion of the MDAQMD portion of the California SIP.

7. MDAQMD Rule 1114, ''Wood Products Coating Operations,'' and Rescission of SCAQMD Rule 1104, ''Wood Flat Stock Coating Operations''

SCAQMD Rule 1104 became applicable to the Riverside County portion of the MDAQMD portion of the California SIP when it was approved by the EPA in 1994.[37] A comparison between MDAQMD Rule 1114 and SCAQMD Rule 1104 reveals that SCAQMD Rule 1104 includes more stringent control requirements for some sources covered therein compared to the control requirements for those sources under MDAQMD Rule 1114. However, a comparison of SCAQMD Rule 1104 with the approved Federal Negative Declarations [38] for MDAQMD shows that there are no such sources in the MDAQMD. The remainder of the control requirements in SCAQMD Rule 1104 are comparable to, and less stringent than, the control requirements in MDAQMD 1114. The EPA also confirmed that there are no wood panel manufacturing facilities, as applicable to SCAQMD Rule 1104, in the Riverside County portion of the MDAQMD via Standard Industrial Classification (SIC) codes and CARB's facility search tool in CARB's California Emissions Inventory Data Analysis and Reporting System (CEIDARS) emissions database.[39] Thus, the rescission of SCAQMD Rule 1104 would not interfere with any applicable requirement concerning attainment, reasonable further progress, or any other applicable requirement of the Act for the purposes of CAA section 110(l). Therefore, the EPA is proposing to approve the rescission of SCAQMD Rule 1104.

Category 2—Rules Submitted for Rescission Without Replacement by MDAQMD Rules

1. Rescission of SoCalAPCD Rule 432, ''Gasoline Specifications,'' and SBCAPCD Rule 432, ''Gasoline Specifications''

The MDAQMD indicates that SoCalAPCD Rule 432 and SBCAPCD Rule 432 are no longer needed in the MDAQMD portion of the California SIP because the specifications for gasoline contained in the rules have been superseded in the SIP by CARB's Reformulated Gasoline Regulation.[40] The EPA approved CARB's Reformulated Gasoline Regulation as part of the California SIP in 2010.[41] The EPA agrees that CARB's Reformulated Gasoline Regulation has superseded the specifications for gasoline in SoCalAPCD Rule 432 and SBCAPCD Rule 432 and that EPA's approval of CARB's Reformation Gasoline Regulation has eliminated any need to retain SoCalAPCD Rule 432 or SBCAPCD Rule 432 in the MDAQMD portion of the California SIP. As such, we find that the rescissions of SoCalAPCD Rule 432 and SBCAPCD Rule 432 would not interfere with attainment and RFP or any other requirement of the Act for the purposes of CAA section 110(l). Therefore, the EPA is proposing to approve the rescissions of SoCalAPCD Rule 432 and SBCAPCD Rule 432 from the Riverside County and San Bernardino County portions of the MDAQMD portion of the California SIP, respectively.

2. Rescission of SBCAPCD Rule 470, ''Asphalt Air Blowing'' and SoCalAPCD Rule 470, ''Asphalt Air Blowing''

The MDAQMD states that there are no asphalt air blowing sources located within the San Bernardino County portion of the MDAQMD, and it also confirmed that there are no asphalt air blowing sources located within the Riverside County portion of the MDAQMD.[42] On that basis, the EPA finds that the rescissions of SBCAPCD Rule 470 and SoCalAPCD Rule 470 would not interfere with attainment and RFP or any other requirement of the Act for the purposes of CAA section 110(l). Therefore, the EPA is proposing to approve the rescissions of both SBCAPCD Rule 470 and SoCalAPCD Rule 470 from the San Bernardino County and Riverside County portions of the MDAQMD portion of the California SIP, respectively.

3. Rescission of SBCAPCD Rule 480, ''Natural Gas Fired Control Devices''

SBCAPCD Rule 480 applies in the San Bernardino County portion of the MDAQMD. The MDAQMD's staff report indicates that the SBCAPCD originally adopted Rule 480 allegedly to ''reduce potential variance applications'' in case of a natural gas shortage or curtailment.[43] In the staff report for SBCAPCD Rule 480, the MDAQMD notes that there are at least six natural gas-fired control devices within the MDAQMD, and of these, none has a Rule 480 plan on file.[44] In the case of a natural gas shortage or curtailment, facilities have certain options available to them, including seeking a variance, regardless of the existence or non-existence of a Rule 480 plan. The MDAQMD concludes that Rule 480 is thus unused, unnecessary, and duplicative of already existing permit conditions as well as the MDAQMD's Hearing Board variance process.[45]

The EPA has reviewed and agrees with the MDAQMD's rationale for rescission of SBCAPCD Rule 480. The EPA also notes that Rule 480 does not relate to any requirement of the CAA or the EPA's implementing regulations or establish an emissions limitation or similar requirement and that rescission of the rule from the SIP would have no effect on emissions. Thus, rescission of the rule would not interfere with attainment and RFP or any other requirement of the Act for the purposes of CAA section 110(l). For these reasons, the EPA is proposing to approve the rescission of SBCAPCD Rule 480 from the San Bernardino County portion of the MDAQMD portion of the California SIP.

[36] Email and attachments dated April 9, 2025, from Chris Anderson (MDAQMD) to Lisa Beckham (EPA), Subject: FW: Background Documents for SCAQMD 466, 466.1 and 467 SIP Cleanup,'' attached document titled ''Rule Comparison Tables,'' pp. 1–7.

[37] 59 FR 32354 (June 23, 1994).

[38] The MDAQMD has EPA approved Federal Negative Declarations for the following CTGs associated with flat wood paneling, ''Control of Volatile Organic Emissions from Existing Stationary Sources—Volume VII: Factory Surface Coating of Flat Wood Paneling,'' EPA–450/2–78–032, June 1978, and ''Control Techniques Guidelines of Flat Wood Paneling Coatings,'' EPA–453/R–06–004, September 2006.

[39] CARB's CEIDARS emissions database allows the public to search for stationary point criteria pollutant and air toxic emissions. The SIC codes that were used for this search are: 2431, ''Millwork,'' 2434, ''Wood Kitchen Cabinets,'' 2435, ''Hardwood Veneer and Plywood,'' 2436, ''Softwood Veneer and Plywood,'' 2493, ''Reconstituted Wood Products,'' 2499, ''Wood Products, Not Elsewhere Classified,'' and 5031, ''Lumber, Plywood, Millwork, and Wood Panels.''

[40] MDAQMD, Final Staff Report, Rescission of Rule 432—Gasoline Specifications and Removal of the Rule from the State Implementation Plan for both the San Bernardino and Riverside County portions of the MDAQMD, April 25, 2022, pp. 2.

[41] 75 FR 26653 (May 12, 2010).

[42] Email and attachments dated February 14, 2024, from Alan J. De Salvio (MDAQMD) to Jefferson Wehling (EPA), Subject: ''SIP Cleanup Followup Items.''

[43] MDAQMD, Staff Report, ''Rescission of Rule 480 and request for removal from the State Implementation Plan for the San Bernardino County portion of the MDAQMD,'' September 26, 2022, pp. 1.

[44] Id. at 2.

[45] Id.

4. Rescission of SCAQMD Rule 1101, ''Secondary Lead Smelters/Sulfur Oxides''

SCAQMD Rule 1101 became applicable to the Riverside County portion of the MDAQMD in 1981.[46] The EPA has reviewed the materials submitted by the MDAQMD to document the absence of secondary lead smelters within the MDAQMD and has confirmed the District's finding. Because there are no sources subject to the rule, the EPA finds that the rescission of SCAQMD Rule 1101 would not interfere with attainment and RFP or any other requirement of the Act for the purposes of CAA section 110(l) and is proposing to approve the rescission of SCAQMD Rule 1101 from the Riverside County portion of the MDAQMD portion of the California SIP.

5. Rescission of SCAQMD Rule 1175, ''Control of Emissions From the Manufacture of Polymeric Cellular (Foam) Products''

SCAQMD Rule 1175 became applicable in the Riverside County portion of the MDAQMD in 1992.[47] The EPA has reviewed the materials submitted by the MDAQMD to document the absence of polymeric cellular foam products manufacturing sources within the MDAQMD and has confirmed the District's finding by using SIC code 3086 and CARB's CEIDARS emissions database. The EPA finds that the rescission of SCAQMD Rule 1175 would not interfere with attainment and RFP or any other requirement of the Act for the purposes of CAA section 110(l) and is proposing to approve the rescission of SCAQMD Rule 1175 from the Riverside County portion of the MDAQMD portion of the California SIP.

C. Public Comment and Proposed Action

As authorized in section 110(k)(3) of the Act, the EPA is proposing to approve revisions to the MDAQMD portion of the California SIP submitted by CARB on September 23, 2022, November 30, 2022, May 11, 2023, and January 10, 2024. More specifically, the EPA is proposing the following actions:

- The EPA is proposing to approve submitted MDAQMD Rule 701 because it would strengthen the SIP.
- The EPA is proposing to approve the following rule rescissions because the rescissions of the rules meet all relevant requirements: SCAQMD Rules 405, 409, 466, 466.1, 467, 1101, 1104, 1175, and 1176; SoCalAPCD Rules 432 and 470; and SBCAPCD Rules 432, 470 and 480; and all the SBCAPCD and SCAQMD Regulation VII rules listed in Tables 3 and 4 of this document.
- The EPA is proposing to take no action on the rescissions of SoCalAPCD Rule 464 and SCAQMD Rule 464, other than to add clarifying regulatory text, because they were previously replaced in the applicable SIP by approval of MDAQMD Rule 464. EPA also proposes to take no action on the rescissions of SBCAPCD Rules 466 and 467 because they were previously removed as part of the applicable SIP and regulatory text was previously added to document their removal.

If finalized as proposed, this action would incorporate MDAQMD Rule 701 into the SIP and would remove from the applicable SIP the rules that have been rescinded or superseded. We will accept comments from the public on this proposal until October 14, 2025.

III. Incorporation by Reference

In this rule, 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 MDAQMD Rule 701, which establishes certain procedures and requirements for air pollution emergencies. The EPA is also proposing to include in a final EPA rule regulatory text that deletes certain rules that were previously incorporated by reference from the applicable California SIP. The rules that were previously incorporated by reference are SCAQMD Rules 405, 409, 464, 466, 466.1, 467, 1101, 1104, 1175, and 1176; SoCalAPCD Rules 432, 464 and 470; and SBCAPCD Rules 432, 470 and 480 as listed in Table 2 of this document, and the air pollution emergency rules listed in Tables 3 and 4 of this document. The EPA has made, and will continue to make, these materials available through *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 action merely proposes to approve state law, or rescissions of 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, Particulate matter, Reporting and recordkeeping requirements, Sulfur dioxide, Volatile organic compounds.

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

[46] 46 FR 43968 (September 2, 1981).

[47] 57 FR 48457 (October 26, 1992).

Dated: September 3, 2025.

Michael Martucci,

Acting Regional Administrator, Region IX.

[FR Doc. 2025–17528 Filed 9–10–25; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R09–OAR–2025–1113; FRL–12927–01–R9]

Approval of Air Quality Implementation Plans; Arizona; Arizona Department of Environmental Quality; Stationary Source Permits; West Pinal County; PM_{10}

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The Environmental Protection Agency (EPA) is proposing to fully approve the Arizona Department of Environmental Quality's (ADEQ or ''State'') State Implementation Plan (SIP) submittal under the Clean Air Act (CAA or ''the Act'') that addresses Nonattainment New Source Review (NNSR) permitting of precursor emissions for the 1987 National Ambient Air Quality Standards (NAAQS or ''standard'') for particulate matter with a diameter of 10 micrometers or less (PM_{10}) in the West Pinal PM_{10} nonattainment area. We are taking comments on this proposal and plan to follow with a final action.

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

ADDRESSES: Submit your comments, identified by Docket ID No. EPA–R09–OAR–2025–1113 at *https://www.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 the disclosure of which 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 disabilities 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: Shaheerah Kelly, U.S. Environmental Protection Agency, Region IX (AIR–3–2), telephone number: (415) 947–4156, email address: *kelly.shaheerah@epa.gov.*

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

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I. Regulatory Context and Background

A. PM_{10} NAAQS and West Pinal Area Designation and Classification

The EPA sets the NAAQS for certain ambient air pollutants at levels required to protect human health and the environment. Particulate matter with an aerodynamic diameter less than or equal to a nominal ten micrometers, or PM_{10}, is one of these ambient air pollutants for which the EPA has established health-based standards. On July 1, 1987, the EPA promulgated two primary standards for PM_{10}: a 24-hour standard of 150 micrograms per cubic meter (μg/m³); and an annual PM_{10} standard of 50 μg/m³. The EPA also promulgated secondary PM_{10} standards that were identical to the primary standards. 52 FR 24634 (July 1, 1987). Because they are identical, we refer to the primary and secondary standards using the singular term, NAAQS. Effective December 18, 2006, the EPA revoked the annual PM_{10} NAAQS but retained the 24-hour PM_{10} NAAQS. 71 FR 61144 (October 17, 2006).

Effective July 2, 2012, the EPA designated a portion of state lands in Pinal County, Arizona, (''West Pinal'') as nonattainment for the 1987 $p.m._{10}$ NAAQS.[1] West Pinal is located in central Arizona, southeast of the Phoenix metropolitan area and northwest of the city of Tucson. Pinal County covers 5,365 square miles and has two distinct western and eastern regions with different characteristics relevant to pollution formation. The West Pinal PM_{10} nonattainment area is located within the western region.

As a result of this nonattainment designation, EPA initially classified West Pinal as a ''Moderate'' PM_{10} nonattainment area.[2] Pursuant to CAA section 188(b)(2), the EPA later determined that the West Pinal nonattainment area had not attained the 1987 24-hour PM_{10} NAAQS by the attainment date for the area, which resulted in the area's reclassification as a ''Serious'' PM_{10} nonattainment area, effective July 24, 2020.[3]

B. CAA NNSR Requirements for PM_{10} Nonattainment Area SIPs Under CAA Section 189(e)

The Act's preconstruction permitting requirements for stationary sources, also called New Source Review (NSR), are found in title I of the Act and in the EPA's implementing regulations addressing the SIP requirements for state NSR programs at 40 CFR part 51, subpart I. The EPA's designation of West Pinal as a nonattainment area for the 1987 PM_{10} NAAQS triggered the requirement for the ADEQ to develop and submit an NNSR program to the EPA for SIP approval for that nonattainment area pursuant to CAA sections 172(c)(5) and 173 and 40 CFR 51.160–51.165, which must satisfy the NNSR requirements applicable to PM_{10} nonattainment areas.

Among other CAA requirements applicable to PM_{10} nonattainment areas, section 189(e) of the Act requires that the control requirements for major stationary sources of direct PM_{10} also apply to major stationary sources of PM_{10} precursors, except where the EPA determines that such sources do not

[1] 77 FR 32024 (May 31, 2012). The precise boundaries for the West Pinal PM_{10} nonattainment area are described in 40 CFR 81.303.

[2] See 77 FR 32024, 32030, 32032.

[3] 85 FR 37756 (June 24, 2020).

contribute significantly to PM_{10} levels that exceed the standard in the area. The EPA's regulations implementing state NNSR program requirements likewise provide that the state NNSR program requirements at 40 CFR 51.165 that are applicable to major stationary sources and major modifications of PM_{10} must also apply to major stationary sources and major modifications of PM_{10} precursors, except where the EPA determines that such sources do not contribute significantly to PM_{10} levels that exceed the PM_{10} NAAQS in the area. 40 CFR 51.165(a)(10).

C. The EPA's Previous Actions on the ADEQ's NNSR Program for PM_{10} for the West Pinal PM_{10} Nonattainment Area

In November 2015, the EPA issued a final rule taking action on a comprehensive 2012 NSR SIP submittal from the ADEQ that constituted a major update to the ADEQ's NSR program (''2015 NSR action''). 80 FR 67319 (Nov. 2, 2015). The EPA determined that this SIP submittal met most NSR requirements and significantly strengthened ADEQ's NSR program. However, the EPA also identified deficiencies with various aspects of the SIP submittal, and therefore the EPA's 2015 NSR action was a limited approval and limited disapproval of the ADEQ's NNSR program for all areas within the ADEQ's jurisdiction, including but not limited to the West Pinal PM_{10} nonattainment area, based on the program not meeting certain NNSR program requirements. 80 FR 67319, 67321, 67332.

The EPA's 2015 NSR action also included additional actions, including a separate limited approval of the ADEQ's NNSR program for PM_{10} only with respect to the West Pinal PM_{10} nonattainment area, based on the requirements of section 189(e) of the Act, without an accompanying limited disapproval. 80 FR 67319, 67332; see also 80 FR 14044, 14058, 14060 (Mar. 18, 2015) (proposed rulemaking for the 2015 NSR action).[4] The EPA explained the basis for this limited approval specific to the West Pinal PM_{10} nonattainment area in its proposal for the 2015 NSR action.

In the proposal, the EPA observed that CAA section 189(e) requires that the ADEQ's NNSR program for PM_{10} nonattainment areas apply to major stationary sources of PM_{10} precursors unless the EPA determines that such sources do not contribute significantly to PM_{10} levels, which exceed the standard in the area. The EPA noted that while the ADEQ's NSR SIP submittal generally included NNSR requirements for PM_{10} nonattainment areas, such as the PM_{10} significant emissions rate, the regulation of PM_{10} condensable emissions, and the applicable emissions offset requirements, the submittal contained a number of deficiencies. The EPA explained that as a result of these deficiencies it was proposing a limited approval and limited disapproval of the ADEQ's NNSR submittal.

More importantly for the purposes of this proposed action, the EPA explained that separate and aside from the issues identified in the EPA's proposed limited approval and limited approval of ADEQ's NNSR submittal, the EPA was not prepared at that time to grant full approval to the ADEQ's NSR SIP submittal as to the PM_{10} NNSR program requirements specifically for the West Pinal nonattainment area in light of the requirements in CAA section 189(e). The EPA explained that the evaluation of which PM_{10} precursors need to be controlled to achieve the PM_{10} standard in a particular area is typically conducted in the context of the state's preparation and the EPA's review of an area's attainment plan. The EPA further explained that it did not have such a plan before it for West Pinal at that time and therefore did not have the state's precursor analysis, and that it could not fully approve, as complying with the CAA, a NNSR SIP submission that did not address PM_{10} precursors. 80 FR 14044, 14058.

The EPA further noted in the proposal that while the ADEQ's submittal may not contain all of the elements necessary to satisfy the CAA NNSR requirements, the revisions to the ADEQ's NNSR program represented a considerable strengthening of the Arizona SIP, which, until that time, did not address NSR requirements for PM_{10} at all. The EPA therefore proposed a limited approval of the PM_{10} NNSR provisions in the ADEQ's NSR submittal as they apply to the West Pinal PM_{10} nonattainment area, recognizing the need to address the requirements of CAA section 189(e). The EPA indicated that once the ADEQ submitted a new PM_{10} attainment plan for the West Pinal PM_{10} nonattainment area, the EPA would consider whether a limited disapproval should also be proposed based on CAA section 189(e). 80 FR 14044, 14058. The EPA received no comments on our proposed limited approval for the ADEQ's NNSR program for PM_{10} for the West Pinal PM_{10} nonattainment area based on CAA section 189(e), and we finalized this portion of our action as proposed. See 80 FR 67319, 67332 and n.29.

Following the 2015 NSR action, the ADEQ submitted, and the EPA acted on, a number of subsequent NSR SIP submittals, both to address the deficiencies that formed the bases for the EPA's limited disapproval of the ADEQ's NSR program in the 2015 NSR action and to make other updates to its NSR program. Among these actions, in a 2018 rulemaking, the EPA reviewed and approved revisions to the ADEQ's NNSR program into the Arizona SIP that were intended to address the deficiencies with the ADEQ's NNSR program that had been identified by the EPA in its 2015 limited disapproval of the ADEQ's NNSR rules. See 83 FR 19631 (May 4, 2018) (the ''2018 Major NSR action''). The EPA determined in the 2018 Major NSR action that the ADEQ's revised NNSR rules addressed the deficiencies in the ADEQ's NNSR program under Part D of the CAA that had formed the basis for its limited disapproval of the NNSR program in the 2015 NSR action for PM_{10} and other nonattainment pollutants.[5] The issue of whether PM_{10} precursors must be regulated by the ADEQ under the NNSR program in the West Pinal PM_{10} nonattainment area pursuant to CAA section 189(e) and 40 CFR 51.165(a)(10) was not a basis for the EPA's limited disapproval in its 2015 NSR action, and the ADEQ SIP submittal that the EPA acted on in the 2018 Major NSR action did not address this issue; therefore, the EPA did not address the issue as part of the 2018 Major NSR action.[6]

II. The ADEQ's 2023 SIP Submission Addressing the Requirements of CAA Section 189(e) for the ADEQ's PM_{10} NNSR Program in the West Pinal PM_{10} Nonattainment Area

On December 15, 2023, the ADEQ submitted the ''2023 Five Percent Particulate Plan for PM–10 for the West Pinal County Nonattainment Area'' (''2023 PM_{10} Plan'') as a revision to the Arizona SIP. The ADEQ is the

[4] The ADEQ has permitting jurisdiction over major stationary sources in Pinal County. See 80 FR 14044, 14045.

[5] 83 FR 19631–19634; see also 82 FR 25213, 25215–25217, 25220 (Jun. 1, 2017) (proposed rulemaking for the 2018 Major NSR action). The 2018 Major NSR action also included a conditional approval related to the ADEQ's regulation of ammonia as a $PM_{2.5}$ precursor under the NNSR program. See 83 FR 19631, 19633. After the ADEQ submitted further revisions to its NSR program to address this issue, the EPA took action to change this specific conditional approval to a full approval. See 86 FR 31927 (Jun. 16, 2021).

[6] Following the 2018 Major NSR action, the EPA took additional rulemaking actions approving revisions to the ADEQ's SIP-approved NSR program; however, none of these actions was specific to the ADEQ's NNSR program for PM_{10} or addressed the issue of whether the ADEQ's NNSR program for PM_{10} for West Pinal was consistent with CAA section 189(e) and 40 CFR 51.165(a)(10). See 86 FR 31927 (Jun. 16, 2021); 89 FR 22963 (Apr. 3, 2024).

governor's designee for submitting official revisions of the Arizona SIP to the EPA. The EPA reviewed this December 2023 SIP submission for completeness, and we issued a letter dated June 14, 2024, in which it determined that the SIP revision met the completeness criteria in 40 CFR part 51, appendix V.[7]

The 2023 PM_{10} Plan includes Chapter 3, an ''Assessment of Air Quality Conditions,'' which discusses PM_{10} formation in the West Pinal PM_{10} nonattainment area and summarizes the State's PM_{10} precursor evaluation and determination that precursors do not contribute significantly to PM_{10} levels that exceed the NAAQS in the West Pinal PM_{10} nonattainment area. In addition, Chapter 9 of the 2023 PM_{10} Plan, Appendix A, Exhibit 1, Attachment A, includes a ''Weight of Evidence Demonstration that Particulate Matter Precursors Do Not Significantly Contribute to PM–10 Exceedances in the West Pinal County PM–10 Nonattainment Area.''

The information described above that is included in this plan submittal supplements the information contained in the 2012 NSR SIP submittal. It also provides a basis on which the EPA may now make the necessary determination, for purposes of the ADEQ's NNSR program for PM_{10}, pursuant to CAA section 189(e) and 40 CFR 51.165(a)(10). The information allows the EPA to determine whether major stationary sources and major modifications of PM_{10} precursors contribute significantly to PM_{10} levels that exceed the PM_{10} NAAQS in the West Pinal PM_{10} nonattainment area, and therefore must be regulated as part of the PM_{10} NNSR program for West Pinal.

[7] See letter dated June 14, 2024, from Matthew Lakin, Director, Air and Radiation Division, EPA Region IX, to Karen L. Peters, Cabinet Executive Officer, ADEQ. CAA sections 110(a) and 110(l) require states to provide reasonable public notice and opportunity for public hearing prior to the adoption and submission of a SIP revision to the EPA for evaluation under section 110(k) and other applicable substantive requirements. To meet this procedural requirement, a state must include evidence that it provided adequate public notice and an opportunity for a public hearing, consistent with the EPA's implementing regulations in 40 CFR 51.102. The EPA reviewed the information submitted by the ADEQ with the 2023 PM_{10} Plan and confirmed the ADEQ's adherence to this requirement as part of its completeness determination for this SIP submission.

III. Evaluation of PM_{10} Precursors in the West Pinal PM_{10} Nonattainment Area for the ADEQ's NNSR Program Under CAA Section 189(e) and 40 CFR 51.165(a)(10)

A. The EPA's PM_{10} Precursor Evaluation and Determination

This proposed action is focused on the EPA's determination concerning whether the ADEQ's NNSR program for PM_{10} for the West Pinal PM_{10} nonattainment area satisfies the requirements of section 189(e) and 40 CFR 51.165(a)(10).

Pursuant to CAA section 189(e) and 40 CFR 51.165(a)(10), for purposes of the ADEQ's NNSR program regulating PM_{10}, the EPA analyzed whether major stationary sources and major modifications of PM_{10} precursors contribute significantly to PM_{10} levels that exceed the PM_{10} NAAQS in the West Pinal PM_{10} nonattainment area. An EPA determination that such sources and modifications do not contribute significantly means that the ADEQ's NNSR program for PM_{10} for this nonattainment area is consistent with CAA section 189(e) and 40 CFR 51.165(a)(10) without regulating PM_{10} precursors.

The State's submission provided three lines of evidence to support its conclusion that PM_{10} precursors do not significantly contribute to PM_{10} exceedances in the West Pinal PM_{10} nonattainment area: (1) an evaluation of co-located $PM_{2.5}/PM_{10}$ ratios and concentrations on PM_{10} exceedance days in the nonattainment area, (2) a chemical characterization of coarse and fine fraction particulate matter in the nonattainment area on PM_{10} exceedance days, and (3) photochemical modeling of the impact of the precursors on $PM_{2.5}$ concentrations in the nonattainment area.

In its analysis of monitoring data from co-located $PM_{2.5}$ and PM_{10} monitors, the State examined the ratio of $PM_{2.5}$ to PM_{10} concentrations on exceedance days from 2016 to 2020. Because secondarily formed PM is generally smaller, falling into the $PM_{2.5}$ category, where the ratio of $PM_{2.5}$ to PM_{10} is low, this is generally indicative of wind-blown or other fugitive dust sources. The data in the submitted analysis show that most exceedance days correspond to low $PM_{2.5}$ to PM_{10} ratios, and the State has provided plausible justifications for those days where the ratio is somewhat higher.

In its analysis of the chemical characterization of coarse and fine fraction PM, the State shows that the concentration of secondary inorganic particulate matter is low, suggesting that ammonia (NH_3), sulfur dioxide (SO_2), and oxides of nitrogen (NO_X) are unlikely to contribute to PM_{10} exceedances. The State also analyzed organic aerosols in captured PM and compared these data to chemically analyzed soil samples, reaching the conclusion that most of the organic portion of PM_{10} was due to primary emissions. The submitted analysis also suggests that precursor contributions may have dropped in the last fifteen years, as activities leading to emissions of precursors in the nonattainment area have decreased during that time.

In its analysis of photochemical modeling, the State estimated precursor pollutant contributions to $PM_{2.5}$ using the Comprehensive Air Quality Model with Extensions (CAM_X) model. Anthropogenic emissions of NH_3, NO_X, SO_2, and volatile organic compounds (VOC) from the 2017 National Emissions Inventory were reduced by 70 percent in the modeling to determine the sensitivity of $PM_{2.5}$ concentrations to these precursor emissions. The modeling results show reduction of 0.5 $\mu g/m^3$ or less when each precursor pollutant was reduced by 70 percent.

The EPA has evaluated the precursor demonstration submitted by the State and proposes to conclude that these lines of evidence, when taken together, sufficiently support the conclusion that precursor pollutants to PM_{10} do not significantly contribute to PM_{10} exceedances in the West Pinal PM_{10} nonattainment area. Our Technical Support Document (TSD), which is included in the docket for this action, provides a more detailed discussion of our analysis supporting this determination.

B. Determination Regarding the ADEQ's NNSR Program for PM_{10} in the West Pinal PM_{10} Nonattainment Area

As described in section III.A. of this document, the EPA is proposing to determine that major stationary sources and major modifications of PM_{10} precursors do not contribute significantly to PM_{10} levels that exceed the PM_{10} NAAQS in the West Pinal PM_{10} nonattainment area for purposes of the ADEQ's NNSR program, and therefore the ADEQ's NNSR program for PM_{10} for the West Pinal PM_{10} nonattainment area is consistent with CAA section 189(e) and 40 CFR 51.165(a)(10) without regulating PM_{10} precursors.

As discussed in section I.C. of this document, the EPA has previously reviewed and fully approved the ADEQ's NNSR program for all pollutants, including PM_{10}, in all areas within the ADEQ's jurisdiction, with the

exception of the ADEQ's NNSR program for PM_{10} in the West Pinal PM_{10} nonattainment area, for which the EPA issued a limited approval in its 2015 NSR action specifically based on the need for the EPA to make a determination regarding the program's consistency with CAA section 189(e) and 40 CFR 51.165(a)(10) for this area. In these prior actions on the ADEQ's NSR SIP submittals, the EPA determined that the ADEQ's NNSR program for PM_{10} met all relevant CAA requirements in all areas, other than the requirements of CAA section 189(e) and 40 CFR 51.165(a)(10) in the West Pinal PM_{10} nonattainment area.

The EPA's determination in this action that the ADEQ's NNSR program for PM_{10} for the West Pinal PM_{10} nonattainment area is consistent with CAA section 189(e) and 40 CFR 51.165(a)(10) resolves the issue that led the EPA to issue a limited approval of the 2012 comprehensive NSR submittal for the ADEQ's NNSR program for PM_{10} for the West Pinal PM_{10} nonattainment area in our 2015 NSR action, which is the only remaining issue to be resolved from the 2012 submittal regarding the full approvability of the ADEQ's NNSR program for PM_{10} in West Pinal. Therefore, the EPA is now proposing full approval of the ADEQ's NNSR program for PM_{10} for the West Pinal PM_{10} nonattainment area based specifically on our determination that the program is consistent with the requirements of CAA section 189(e) and 40 CFR 51.165(a)(10). If finalized, this proposed approval would address the only remaining element from the 2012 submittal that was not acted upon in the 2015 NSR action.

IV. Proposed Action

For the reasons discussed in this document, as authorized in section 110(k)(3) of the Act, the EPA proposes to fully approve the ADEQ's NNSR program for PM_{10} for the West Pinal PM_{10} nonattainment area because we have determined that it fulfills the relevant CAA requirements. We will accept comments from the public on this proposal until October 14, 2025, and will consider those comments before taking final action.

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 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 Act. 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, Particulate matter, Reporting and recordkeeping requirements.

Dated: September 3, 2025.

Michael Martucci,

Acting Regional Administrator, Region IX.

[FR Doc. 2025–17502 Filed 9–10–25; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R09–OAR–2025–0321; FRL–12854–01–R9]

Air Plan Revisions; Arizona; Maricopa County Air Quality Department; Volatile Organic Compounds; Solvent Cleaning

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The Environmental Protection Agency (EPA) is proposing to approve revisions to the Maricopa County Air Quality Department (MCAQD) portion of the Arizona State Implementation Plan (SIP). These revisions concern rules that regulate volatile organic compounds (VOC) emissions from solvent cleaning operations. We are proposing to approve the 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 October 14, 2025.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA–R09–OAR–2025–0321 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: Allison Kawasaki, EPA Region IX, 75 Hawthorne St., San Francisco, CA 94105; telephone number: (415) 972–3922; email address: *kawasaki.allison@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 did the State submit?

On October 3, 2024, the Arizona Department of Environmental Quality (ADEQ) submitted a SIP revision to the EPA from MCAQD requesting that the EPA approve MCAQD Rule 331—Solvent Cleaning (''Rule 331''), as revised on September 25, 2024 (''2024 SIP Submittal''). Additionally, the 2024 SIP Submittal requests that we rescind two sets of requirements from the SIP: MCAQD Rule 331, as revised on April 21, 2004, and paragraphs F, G, H, I, J, and K of Rule 34—Organic Solvents—Volatile Organic Compounds (VOC) (''Rule 34''), as revised on June 23, 1980.

Table 1 lists the rule we are proposing for approval with the dates that it was adopted by the local air agency and submitted to the EPA by the ADEQ. Table 2 lists the rules proposed to be rescinded from the SIP with the dates that they were adopted by the local air agency and approved into the SIP.

TABLE 1—SUBMITTED RULE FOR APPROVAL

Local agency	Rule No.	Rule title	Revised	Submitted
MCAQD	331	Solvent Cleaning	September 25, 2024	October 3, 2024.

TABLE 2—RULES REQUESTED TO BE RESCINDED OR REPLACED

Local agency	Rule No.	Rule title	Local revision date	SIP approved date	FR citation
MCAQD	34—paragraphs F, G, H, I, J, and K.	Organic Solvents—Volatile Organic Compounds (VOC).	June 23, 1980	May 5, 1982	47 FR 19326.
MCAQD	331	Solvent Cleaning	April 21, 2004	December 21, 2004	69 FR 76417.

On April 3, 2025, the 2024 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 related submittals?

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. On September 13, 2017, because of that coordination, the ADEQ submitted a SIP revision from MCAQD that requested to rescind or replace many obsolete rules in their federally enforceable SIP in favor of rules that reflect their current locally enforceable rulebook (''2017 SIP submittal'').

The 2017 SIP Submittal included requests related to Rule 34, MCAQD Rule 330—Volatile Organic Compounds (''Rule 330''), and Rule 331. The submittal requested that paragraphs F, G, H, I, J, and K of Rule 34 [1] be replaced in the SIP by approval of Rule 330, as adopted on September 25, 2013. The submittal also requested that the EPA remove SIP-approved Rule 331 [2] and replace it in the SIP with Rule 331, as revised on September 24, 2013. As clarified by MCAQD in the 2024 SIP Submittal, these requests have been superseded by the 2024 SIP Submittal. Although these requests have been superseded, this action is a part of this ongoing effort.

If we finalize this rulemaking as proposed, Rule 331, as revised on September 25, 2024, would replace Rule 34—paragraphs F, G, H, I, J, and K and Rule 331, as revised on April 21, 2004, in the Maricopa County portion of the Arizona SIP.

C. What is the purpose of the submittal?

Under title I of the CAA, the EPA has established ambient air quality standards for six common air pollutants (''criteria pollutants'') known to be harmful to human health and the environment: carbon monoxide (CO), lead (Pb), nitrogen dioxide (NO_2), ozone, particulate matter (PM), and sulfur dioxide (SO_2). These standards are known as the National Ambient Air Quality Standards (NAAQS).

Section 110(a) of the CAA requires states to submit SIP requirements for the attainment and maintenance of the NAAQS. Rules 34 and Rule 331 regulate emissions of VOC from solvent cleaning operations, including metal degreasing. Emissions of VOC contribute to the production of ground-level ozone and PM. Cleaning solvents are used to remove contaminants such as adhesives, inks, paint, dirt, soil, oil, and grease from parts, products, tools, machinery, equipment, vessels, floors, walls, and other work production related work areas. These operations take place for a variety of reasons, including safety, operability, and to avoid product contamination.

Additionally, MCAQD submitted revised Rule 331 to meet CAA reasonably available control technology (RACT) requirements. CAA sections 182(b)(2) and (f) require RACT for each category of sources covered by a Control Techniques Guidelines (CTG) document

[1] Approved into the SIP on May 5, 1982 (47 FR 19326).

[2] Approved into the SIP on December 21, 2004 (69 FR 76417).

as well as each major source of VOC or oxides of nitrogen (NO_X) in ozone nonattainment areas classified as ''Moderate'' or above. MCAQD regulates air quality in the Maricopa County portion of the Phoenix-Mesa ozone nonattainment area, which is classified as ''Moderate'' for the 2008 and 2015 8-hour ozone standards.[3] Rule 331 regulates categories of sources covered by CTG documents related to solvents. For the 2008 8-hour ozone standard, MCAQD relied on Rule 331, as revised on April 21, 2004, to meet RACT requirements for certain CTG categories. MCAQD revised Rule 331 to meet RACT requirements for the 2015 8-hour ozone standard. The EPA will evaluate Rule 331 for RACT purposes when we review MCAQD's evaluation in their RACT SIP for the 2015 8-hour ozone standard in a separate, future action.

MCAQD does not rely on Rule 34 to meet RACT requirements. MCAQD is requesting the rescission of the remaining portions of Rule 34 [4] in the SIP as part of the ongoing effort to update the Maricopa County portion of the Arizona SIP.

A technical support documents (TSD) was prepared for each rule, Rule 34 and 331. The TSDs have more information about the rules.

II. The EPA's Evaluation and Action

A. How is the EPA evaluating the rule and the request for rescission and replacement?

Emissions limitations in the SIP must be enforceable (see CAA section 110(a)(2)) and must not interfere with applicable requirements concerning attainment and reasonable further progress or other CAA requirements (see CAA section 110(l)). Once a rule has been approved as part of a SIP, the rescission of that rule from the SIP constitutes a SIP revision. To approve such a revision, the change must comply with restrictions on relaxation of SIP measures under CAA sections 110(l) and 193. CAA section 193 requires control requirements in effect in nonattainment areas prior to November 15, 1990, to remain in effect unless the modification ensures equivalent or greater emissions reductions.

Guidance and policy documents that we use to evaluate enforceability and revision/relaxation requirements for the applicable criteria pollutants include the following:

1.''Issues Relating to VOC Regulation Cutpoints, Deficiencies, and Deviations,'' EPA, May 25, 1988 (the Bluebook, revised January 11, 1990).

2. ''Guidance Document for Correcting Common VOC & Other Rule Deficiencies,'' EPA Region 9, August 21, 2001 (the Little Bluebook).

B. Do the SIP revisions meet the evaluation criteria?

Rule 331 establishes general work practices to minimize VOC emissions for all solvent cleaning machines and for the handling of cleaning solvents. For vapor and non-vapor cleaning machines,[5] operators must meet additional solvent specifications, work practices, control requirements, and/or design standards that limit VOC emissions based on the type of cleaning machine utilized. Operators can also choose to use an add-on emissions control system in lieu of the requirements for cleaning machines if it meets an overall capture and control efficiency of 85 percent. Additionally, using a ''Low VOC Cleaner'' can justify exemption from many requirements in the rule, especially for non-vapor cleaning machines.

Compared to the current SIP-approved version of Rule 331, the most significant change was to revise the definition of ''Low VOC Cleaner'' from 50 grams per liter (g/L) to 25 g/L. This encourages operators to switch to a lower emitting solvent to avoid the more substantive requirements in the rule. Other revisions improve the overall clarity and enforceability of the rule, such as providing clearer requirements for emissions control systems, adding a compliance schedule section, clarifying definitions, and clarifying monitoring, testing, and recordkeeping requirements.

Rule 331, as revised on September 25, 2024, would strengthen the SIP by establishing a more stringent emissions limitation for Low VOC Cleaners and by clarifying monitoring and recordkeeping provisions. This rule meets the relevant CAA requirements in section 110 and is consistent with relevant guidance regarding enforceability and SIP revisions.

Additionally, we are proposing that the requirements in Rule 331 can be used to replace Rule 34, paragraphs F, G, H, I, J, and K, in the SIP. The requirements in Rule 34 would be replaced with requirements in Rule 331 that are at least as stringent. For example, Rule 331 provides updated terminology, more stringent standards (*e.g.,* operational and equipment standards, and work practices) and clarity on monitoring and testing requirements.

Based on our evaluation, the replacement of Rule 34 with Rule 331, as revised on September 25, 2024, would not impact the overall stringency of the Arizona SIP and complies with CAA sections 110(l) and 193.

Our two TSDs have more information on our evaluations.

C. Proposed Action and Public Comment

As authorized in section 110(k)(3) of the Act, the EPA proposes to approve Rule 331, as revised on September 25, 2024, because it fulfills all relevant CAA requirements. It would replace the current version of Rule 331 in the SIP. The EPA also proposes to approve the requested rescission of Rule 34, sections F, G, H, I, J, and K, by replacing it with Rule 331, as revised on September 25, 2024, because it fulfills all relevant CAA requirements. We will accept comments from the public on this proposal until October 14, 2025. If we take final action to approve Rule 331, 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 District, Rule 331, Solvent Cleaning, revised September 25, 2024, which regulates emissions of VOC from solvent cleaning operations. In addition, the EPA is proposing to rescind Rule 34, sections F, G, H, I, J, and K, and replace it with the submitted Rule 331 in the MCAQD portion of the Arizona SIP, because the requested replacement fulfills all relevant requirements. 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

[3] 40 CFR 81.303; 87 FR 60897 (October 7, 2022); and 81 FR 26697 (May 4, 2016).

[4] On September 1, 2022 (87 FR 53676), in a direct final rule, we clarified that paragraphs F, G, H, I, J and K of Rule 34 remain in the Maricopa County portion of the SIP and that paragraphs A, B, C, D, E, and L were rescinded or superseded by prior EPA actions.

[5] ''Vapor'' cleaning is when solvent vapor from boiling cleaning solvent is used for cleaning and ''non-vapor'' cleaning is when liquid solvent is used to clean at temperatures below the solvent boiling point.

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 oxides, Ozone, Reporting and recordkeeping requirements, Volatile organic compounds.

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

Dated: September 3, 2025.

Michael Martucci,

Acting Regional Administrator, Region IX.

[FR Doc. 2025–17498 Filed 9–10–25; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 271

[EPA–R09–RCRA–2024–0298; FRL–12239–01–R9]

Authorization of State Hazardous Waste Management Program Revisions: California

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: California has applied to the Environmental Protection Agency (EPA) for final authorization of changes to its hazardous waste program under the Resource Conservation and Recovery Act (RCRA), as amended. The EPA has reviewed California's application and has determined, subject to public comment, that these changes satisfy all requirements needed to qualify for final authorization. Therefore, in the ''Rules and Regulations'' section of this **Federal Register**, we are authorizing California for these changes as a final action without a prior proposed rulemaking. If we receive no adverse comment, we will not take further action on this proposed rule.

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

ADDRESSES: Submit your comments, identified by Docket ID No. EPA–R09–RCRA–2024–0298, at *https://www.regulations.gov.* Follow the online instructions for submitting comments. Once submitted, comments cannot be edited or removed from *www.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 *http://www.epa.gov/dockets/commenting-epa-dockets.*

The EPA encourages electronic submittals, but if you are unable to submit electronically or need other assistance, please contact Naimah Ali, the contact listed in the **FOR FURTHER INFORMATION CONTACT** section. Please also contact Naimah Ali if you need assistance in a language other than English or if you are a person with disabilities who needs a reasonable accommodation at no cost to you.

All documents in the docket are listed in the *www.regulations.gov* index. Publicly available docket materials are available electronically in *www.regulations.gov.* For alternative access to docket materials, please contact Naimah Ali, the contact listed in the **FOR FURTHER INFORMATION CONTACT** section.

FOR FURTHER INFORMATION CONTACT: Naimah Ali; Planning and State Development Office; Land, Chemicals and Redevelopment Division; U.S. Environmental Protection Agency; 75 Hawthorne St, San Francisco, CA 94105–3922; telephone number: (619) 849–1319; email address: *ali.naimah@epa.gov.*

SUPPLEMENTARY INFORMATION: This document proposes to take action on California's changes to its hazardous waste management program under the Resource Conservation and Recovery Act (RCRA), as amended. We have published a final action authorizing these changes in the ''Rules and Regulations'' section of this **Federal Register** because we view this as a noncontroversial action and anticipate no adverse comment. We have explained our reasons for this action in the preamble to the final action.

If we receive no adverse comment, we will not take further action on this proposed rule. If we receive adverse comment, we will either publish a withdrawal notification promptly in the **Federal Register** informing the public that the final action will not take effect, or we will publish a notification containing a response to comments that either reverses the decision or affirms that the final action will take effect. In the event that the final action is withdrawn, we would address all public comments and make a final decision on authorization in a subsequent final action.

We do not intend to institute a second comment period on this action. Any parties interested in commenting must do so at this time. For further information, please see the information provided in the **ADDRESSES** section of this document.

Dated: September 3, 2025.

Michael Martucci,

Acting Regional Administrator, Region 9.

[FR Doc. 2025–17540 Filed 9–10–25; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 282

[EPA–R03–UST–2025–0091; FRL 12797–01–R3]

Maryland: Final Approval of State Underground Storage Tank Program Revisions, Codification, and Incorporation by Reference

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: Pursuant to the Solid Waste Disposal Act of 1965, as amended (commonly known as the Resource Conservation and Recovery Act (RCRA)), the Environmental Protection Agency (EPA) is proposing to approve revisions to the State of Maryland's Underground Storage Tank (UST) program submitted by Maryland (Maryland or State). This action is based on EPA's determination that these revisions satisfy all the requirements needed for program approval. This action also proposes to codify EPA's approval of Maryland's state program and to incorporate by reference (IBR) those provisions of Maryland's regulations and statutes that EPA has determined meet the requirements for approval. The provisions will be subject to EPA's inspection and enforcement authorities under sections 9005 and 9006 of RCRA Subtitle I and other applicable statutory and regulatory provisions. In the ''Rules and Regulations'' section of this issue of the **Federal Register**, EPA is approving this action by a direct final rule. If no significant negative comment is received, EPA will not take further action on this proposed rulemaking, and the direct final rule will be effective 60 days from the date of publication in this **Federal Register**. If you want to comment on EPA's proposed approval of Maryland's revisions to its state UST program, you must do so at this time.

DATES: Send written comments by November 10, 2025.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA–R03–UST–2025–0091, by one of the following methods:

1. *Federal eRulemaking Portal: https://www.regulations.gov.* Follow the on-line instructions for submitting comments.

2. *Email: uybarreta.thomas@epa.gov.*

Instructions: Direct your comments to Docket ID No. EPA–R03–UST–2025–0091. EPA's policy is that all comments received will be included in the public docket without change and may be available online at *https://www.regulations.gov,* including any personal information provided, unless the comment includes information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Do not submit information that you consider to be CBI or otherwise protected through *https://www.regulations.gov,* or email. The Federal website, *https://www.regulations.gov,* is an ''anonymous access'' system, which means EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send an email comment directly to EPA without going through *https://www.regulations.gov,* your email address will be automatically captured and included as part of the comment that is placed in the public docket and made available on the internet. If you submit an electronic comment, EPA recommends that you include your name and other contact information in the body of your comment. If EPA cannot read your comment due to technical difficulties, and cannot contact you for clarification, EPA may not be able to consider your comment. Electronic files should avoid the use of special characters, any form of encryption, and be free of any defects or viruses. EPA encourages electronic submittals, but if you are unable to submit electronically, please reach out to the EPA contact person listed in the notice for assistance. If you need assistance in a language other than English, or you are a person with disabilities who needs a reasonable accommodation at no cost to you, please reach out to the EPA contact person by email or phone. You can review and copy the documents that form the basis for this proposed action and associated publicly available materials through *https://www.regulations.gov.*

FOR FURTHER INFORMATION CONTACT: Thomas UyBarreta, (215) 814–2953, *uybarreta.thomas@epa.gov,* RCRA Programs Branch; Land, Chemicals, and Redevelopment Division, EPA Region 3, Four Penn Center, 1600 John F. Kennedy Blvd., (Mailcode 3LD30), Philadelphia, PA 19103.

SUPPLEMENTARY INFORMATION: EPA has explained the reasons for this action in the preamble to the direct final rule. For additional information see the direct final rule published in the ''Rules and Regulations'' section of this issue of the **Federal Register**.

Authority: This proposed rule is issued under the authority of section 9004 of the Solid Waste Disposal Act of 1965, as amended, 42 U.S.C. 6991c.

Amy Van Blarcom-Lackey,

Regional Administrator, EPA Region 3.

[FR Doc. 2025–17518 Filed 9–10–25; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 282

[EPA–R05–UST–2023–0631; FRL 12762–01–R5]

Minnesota: Final Approval of State Underground Storage Tank Program Revisions, Codification, and Incorporation by Reference

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: Pursuant to the Solid Waste Disposal Act of 1965, as amended (commonly known as the Resource Conservation and Recovery Act (RCRA)), the Environmental Protection Agency (EPA) is proposing to approve revisions to the State of Minnesota's Underground Storage Tank (UST) program submitted by the Minnesota Pollution Control Agency. This action also proposes to codify EPA's approval of Minnesota's state program and incorporate by reference those provisions of Minnesota's regulations that EPA has determined meet the requirements for approval. The provisions will be subject to EPA's inspection and enforcement authorities under RCRA Subtitle I and other applicable statutory and regulatory provisions.

DATES: Comments on this proposed rule must be received on or before October 14, 2025.

ADDRESSES: Submit comments, identified by EPA–R05–UST–2023–0631, by one of the following methods:

1. *Federal eRulemaking Portal: https://www.regulations.gov.* Follow the

on-line instructions for submitting comments.

2. *Email: restaino.mark@epa.gov.*

Instructions: Direct your comments to Docket ID No. EPA–R05–UST–2023–0631. EPA's policy is that all comments received will be included in the public docket without change and may be available online at *https://www.regulations.gov,* including any personal information provided, unless the comment includes information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Do not submit information that you consider to be CBI or otherwise protected through *https://www.regulations.gov* or email. The Federal *https://www.regulations.gov* website is an ''anonymous access'' system, which means the EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send an email comment directly to the EPA without going through *https://www.regulations.gov,* your email address will be automatically captured and included as part of the comment that is placed in the public docket and made available on the internet. If you submit an electronic comment, EPA recommends that you include your name and other contact information in the body of your comment. If EPA cannot read your comment due to technical difficulties, and cannot contact you for clarification, EPA may not be able to consider your comment. Electronic files should avoid the use of special characters, any form of encryption, and be free of any defects or viruses. EPA encourages electronic submittals, but if you are unable to submit electronically, please reach out to the EPA contact person listed in the document for assistance. You can review and copy the documents that form the basis for this proposed action and associated publicly available materials through *https://www.regulations.gov.*

FOR FURTHER INFORMATION CONTACT: Mark Restaino, Remediation Branch, Land, Chemical, and Redevelopment Division, U.S. Environmental Protection Agency, Region 5, 77 W Jackson Boulevard, Chicago, Illinois 60604; (312) 886–0394; *restaino.mark@epa.gov.*

SUPPLEMENTARY INFORMATION: EPA has explained the reasons for this action in the preamble to the direct final rule. For additional information, see the direct final rule published in the ''Rules and Regulations'' section of this issue of the **Federal Register**.

Authority: This proposed rule is issued under the authority of sections 2002(a), 7004(b), and 9004 of the Solid Waste Disposal Act, as amended, 42 U.S.C. 6912, 6991c, 6991d, and 6991e.

Dated: August 26, 2025.

Anne Vogel,

Regional Administrator, Region 5.

[FR Doc. 2025–17520 Filed 9–10–25; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 300

[EPA–HQ–OLEM–2025–1247; FRL–12905–01–OLEM]

Proposed Deletion From the National Priorities List

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule; notice of intent.

SUMMARY: The Environmental Protection Agency (EPA) is issuing a Notice of Intent to delete one site, Corozal Well, from the National Priorities List (NPL) and requests public comments on this proposed action. The NPL, promulgated pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) of 1980, as amended, is an appendix of the National Oil and Hazardous Substances Pollution Contingency Plan (NCP). The EPA and the Commonwealth of Puerto Rico, through the Puerto Rico Department of Natural and Environmental Resources (PRDNER), have determined that all appropriate response actions under CERCLA have been completed. However, this deletion does not preclude future actions under Superfund.

DATES: Comments regarding this proposed action must be submitted on or before October 14, 2025.

ADDRESSES: EPA has established a docket for this action under the Docket ID No. included in table 1 in the **SUPPLEMENTARY INFORMATION** section of this document. Submit your comments, identified by the appropriate Docket ID No., by one of the following methods:

- *https://www.regulations.gov.* Follow on-line 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, 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.*
- *Email:* Table 2 in the **SUPPLEMENTARY INFORMATION** section of this document provides an email address to submit public comments for the proposed deletion action.

Instructions: Direct your comments to the Docket ID No. included in table 1 in the **SUPPLEMENTARY INFORMATION** section of this document. EPA's policy is that all comments received will be included in the public docket without change and may be made available online at *https://www.regulations.gov,* including any personal information provided, unless the comment includes information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Do not submit information that you consider to be CBI or otherwise protected through *https://www.regulations.gov* or email. The *https://www.regulations.gov* website is an ''anonymous access'' system, which means EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send an email comment directly to EPA without going through *https://www.regulations.gov,* your email address will be automatically captured and included as part of the comment that is placed in the public docket and made available on the internet. If you submit an electronic comment, EPA recommends that you include your name and other contact information in the body of your comment and with any disk or CD–ROM you submit. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment. Electronic files should avoid the use of special characters, any form of encryption, and be free of any defects or viruses.

Docket: EPA has established a docket for this action under the Docket ID included in table 1 in the **SUPPLEMENTARY INFORMATION** section of

this document. All documents in the docket are listed on the *https://www.regulations.gov* website. The Final Close-Out Report (FCOR) is the primary document which summarizes site information to support the deletion. It is typically written for a broad, non-technical audience and this document is included in the deletion docket for each of the sites in this rulemaking. Although listed in the index, some information is not publicly available, *i.e.,* Confidential Business Information 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. Docket materials are available through *https://www.regulations.gov* or at the corresponding Regional Records Center. Location, address, and phone number of the Regional Records Centers follows.

Regional Records Center:

- Region 2 (NJ, NY, PR, VI), U.S. EPA, 290 Broadway, New York, NY 10007–1866; telephone number: (212) 637–4308.
- EPA Headquarters Docket Center Reading Room (deletion dockets for all States), William Jefferson Clinton (WJC) West Building, Room 3334, 1301 Constitution Avenue NW, Washington, DC 20004, telephone number: (202) 566–1744.

EPA staff listed below in the **FOR FURTHER INFORMATION CONTACT** section may assist the public in answering inquiries about deleted sites, accessing deletion support documentation, and determining whether there are additional physical deletion dockets available.

FOR FURTHER INFORMATION CONTACT:

- Grace Stern and Robert Keating, U.S. EPA Region 2 (NJ, NY, PR, VI), email address: *stern.grace@epa.gov,* telephone number: (212) 637–4341; email address: *keating.robert@epa.gov,* telephone number: (212) 637–4325.
- Ashley Miller, Matt Spencer, and Jennifer Edwards, U.S. EPA Headquarters, email address: *miller.ashley@epa.gov,* telephone number: (202) 566–1084; email address: *spencer.matthew@epa.gov,* telephone number: (202) 566–1851; email address: *edwards.jennifer@epa.gov,* telephone number: (202) 566–1051.

SUPPLEMENTARY INFORMATION:

Table of Contents

I. Introduction
II. NPL Deletion Criteria
III. Deletion Procedures
IV. Basis for Full Site Deletion

I. Introduction

EPA is issuing a proposed rule to delete one site from the NPL and requests public comments on this proposed action. EPA will accept comments on the proposal to delete the site for thirty (30) days after publication of this document in the **Federal Register**.

The NPL constitutes Appendix B of 40 CFR part 300 which is the NCP, which EPA created under section 105 of the CERCLA statute of 1980, as amended. EPA maintains the NPL as those sites that appear to present a significant risk to public health, welfare, or the environment. Sites on the NPL may be the subject of remedial actions financed by the Hazardous Substance Superfund (Fund). As described in 40 CFR 300.425(e)(3) of the NCP, a site deleted from the NPL remains eligible for Fund-financed remedial action if future conditions warrant such actions.

Section II. of this document explains the criteria for deleting sites from the NPL. Section III. of this document discusses procedures that EPA is using for this action. Section IV. of this document discusses the site proposed for deletion and demonstrates how it meets the deletion criteria, including reference documents with the rationale and data principally relied upon by the EPA to determine that the Superfund response is complete.

II. NPL Deletion Criteria

The NCP establishes the criteria that EPA uses to delete sites from the NPL. In accordance with 40 CFR 300.425(e), sites may be deleted from the NPL where no further response is appropriate. In making such a determination pursuant to 40 CFR 300.425(e), EPA will consider, in consultation with the State, whether any of the following criteria have been met:

i. Responsible parties or other persons have implemented all appropriate response actions required;

ii. All appropriate Fund-financed response under CERCLA has been implemented, and no further response action by responsible parties is appropriate; or

iii. The remedial investigation has shown that the release poses no significant threat to public health or the environment and, therefore, the taking of remedial measures is not appropriate.

Pursuant to CERCLA section 121(c) and the NCP, EPA conducts five-year reviews to ensure the continued protectiveness of remedial actions where hazardous substances, pollutants, or contaminants remain at a site above levels that allow for unlimited use and unrestricted exposure. EPA conducts such five-year reviews even if a site is deleted from the NPL. EPA may initiate further action to ensure continued protectiveness at a deleted site if new information becomes available that indicates it is appropriate. As described in 40 CFR 300.425(e)(3), whenever there is a significant release from a site deleted from the NPL, the deleted site may be restored to the NPL without application of the hazard ranking system.

III. Deletion Procedures

The following procedures apply to the deletion of the sites in this proposed rule:

(1) EPA consulted with the Commonwealth of Puerto Rico before developing this Notice of Intent for deletion.

(2) EPA has provided the Commonwealth of Puerto Rico 30 working days for review of site deletion documents prior to publication of it today.

(3) In accordance with the criteria discussed above, EPA has determined that no further response is appropriate.

(4) The Commonwealth of Puerto Rico, through the PRDNER, has concurred with the proposed deletion action.

(5) Concurrently with the publication of this Notice of Intent for deletion in the **Federal Register**, a notice is being distributed to local elected officials and the surrounding community, via news releases, listservs, social media, and the site's web page. The notices announce the 30-day public comment period concerning the proposed action for deletion.

(6) EPA placed copies of documents supporting the proposed deletion in the deletion docket and made these items available for public inspection and copying at the Regional Records Center identified above.

If comments are received within the 30-day comment period on this document, EPA will evaluate and respond accordingly to the comments before making a final decision to delete the site. If necessary, EPA will prepare a Responsiveness Summary to address any significant public comments received. After the public comment period, if EPA determines it is still appropriate to delete the site, EPA will publish a final Notice of Deletion in the **Federal Register**. Public notices, public submissions and copies of the Responsiveness Summary, if prepared, will be made available to interested parties and included in the site information repositories listed above.

Deletion of a site from the NPL does not itself create, alter, or revoke any individual's rights or obligations. Deletion of a site from the NPL does not in any way alter EPA's right to take enforcement actions, as appropriate. The NPL is designed primarily for informational purposes and to assist EPA management. Section 300.425(e)(3) of the NCP states that the deletion of a site from the NPL does not preclude eligibility for future response actions, should future conditions warrant such actions.

IV. Basis for Full Site Deletion

The site to be deleted from the NPL, the location of the site, and docket number with information including reference documents with the rationale and data principally relied upon by the EPA to determine that the Superfund response is complete are specified in table 1. The NCP permits activities to occur at a deleted site, or that media or parcel of a partially deleted site, including operation and maintenance of the remedy, monitoring, and five-year reviews. These activities for the site are entered in table 1, if applicable, under Footnote such that: 1= site has continued operation and maintenance of the remedy; 2= site receives continued monitoring; and 3= site five-year reviews are conducted.

TABLE 1

Site name	City/county, state	Type	Docket No.	Footnote
Corozal Well	Corozal, PR	Full	EPA–HQ–OLEM–2025–1247.	

Table 2 includes information concerning whether the full site is proposed for deletion from the NPL or a description of the area, media or Operable Units (OUs) of the NPL site proposed for partial deletion from the NPL, and an email address to which public comments may be submitted if the commenter does not comment using *https://www.regulations.gov.*

TABLE 2

Site name	Full site deletion (full) or media/parcels/description for partial deletion	Email address for public comments
Corozal Well	Full	*chacon.hermes@epa.gov.*

EPA maintains the NPL as the list of sites that appear to present a significant risk to public health, welfare, or the environment. Deletion from the NPL does not preclude further remedial action. Whenever there is a significant release from a site deleted from the NPL, the deleted site may be restored to the NPL without application of the hazard ranking system. Deletion of a site from the NPL does not affect responsible party liability in the unlikely event that future conditions warrant further actions.

List of Subjects in 40 CFR Part 300

Environmental protection, Air pollution control, Chemicals, Hazardous substances, Hazardous waste, Intergovernmental relations, Natural resources, Oil pollution, Penalties, Reporting and recordkeeping requirements, Superfund, Water pollution control, Water supply.

Authority: 33 U.S.C. 1251 *et seq.;* 42 U.S.C. 9601–9657; E.O. 13626, 77 FR 56749, 3 CFR, 2013 Comp., p. 306; E.O. 12777, 56 FR 54757, 3 CFR, 1991 Comp., p. 351; E.O. 12580, 52 FR 2923, 3 CFR, 1987 Comp., p. 193.

Steven Cook,

Principal Deputy Assistant Administrator, Office of Land and Emergency Management.

[FR Doc. 2025–17505 Filed 9–10–25; 8:45 am]

BILLING CODE 6560–50–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

43 CFR Parts 1600 and 6100

[PO #4820000251; Order #02412–014–004–047181.0]

RIN 1004–AF03

Rescission of Conservation and Landscape Health Rule

AGENCY: Bureau of Land Management, Interior.

ACTION: Proposed rule.

SUMMARY: The Bureau of Land Management (BLM) is proposing to rescind the Conservation and Landscape Health Rule, issued as a final rule on May 9, 2024. We solicit comment on all aspects of this rule.

DATES: Comments must be received by November 10, 2025. The BLM is not obligated to consider any comments received after this date in making its decision on the final rule.

ADDRESSES:

Mail, Personal, or Messenger Delivery: U.S. Department of the Interior, Director (630), Bureau of Land Management, 1849 C St. NW, Room 5646, Washington, DC 20240, Attention: 1004–AF03.

Federal eRulemaking Portal: https://www.regulations.gov. In the Searchbox, enter ''BLM–2025–0001'' and click the ''Search'' button. Follow the instructions at this website.

FOR FURTHER INFORMATION CONTACT: Kyle Moorman, Chief, Division of Regulatory Affairs and Directives, telephone: 202–527–2433, email: *kmoorman@blm.gov* with a subject line of ''RIN 1004–AF03.'' 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. For a summary of the proposed rule, please see the proposed rule summary document in docket BLM–2025–0001 on *www.regulations.gov.*

SUPPLEMENTARY INFORMATION: The BLM is proposing to rescind the Conservation and Landscape Health Rule adopted on May 9, 2024, via 89 FR 40308, with an effective date of June 10, 2024, and codified in amendments to 43 CFR part 1600 and the newly created 43 CFR part 6100 (2024 Rule). The 2024 Rule established a ''policy for the BLM to build and maintain the resilience of ecosystems on public lands in three primary ways: (1) protecting the most intact, functioning landscapes; (2) restoring degraded habitat and

ecosystems; and (3) using science and data as the foundation for management decisions across all plans and programs.'' (89 FR 40308).)

The BLM has determined, based on a review of the Conservation and Landscape Health Rule, that the 2024 Rule is unnecessary and violates existing statutory requirements. Among other things, the 2024 Rule is unnecessary to facilitate, and even undermines, the BLM's management of the public lands under applicable law, including the direction in the Federal Land Policy and Management Act (FLPMA) to manage public land under principles of multiple use and sustained yield, except where the land has been dedicated to a specific use by other provisions of law. The 2024 Rule constrains agency flexibility necessary to manage under such principles. Accordingly, we propose to rescind the 2024 Rule in full and seek comment on that proposal.

The 2024 Rule's leasing provisions threaten to upset the appropriate balance that the BLM must strike when managing public land under principles of multiple use and sustained yield. The BLM is charged by statute to regulate the ''use, occupancy, and development'' of public lands in accordance with the principles of ''multiple use'' and ''sustained yield.'' 43 U.S.C. 1732.[1] But the Conservation and Landscape Health Rule identifies conservation—a non-use—as a productive use for leases and permits. This is contrary to the BLM's mandate and statutory authority. Conservation is not a ''use'' under the statute. Under a more appropriate implementation of FLPMA's mandate, the BLM works to conserve resources, as appropriate, to ensure balanced resource use while also achieving and maintaining appropriate output of those resources, in all cases consistent with the principles of multiple use and sustained yield. It does so through its own affirmative land management work and in partnership with other entities, including other government agencies, but it does not follow that FLPMA's leasing authority may be used to that end.

As many commenters pointed out during the public comment process on the 2024 Rule, the restoration and mitigation leases for which the Rule provides may preclude other uses of the public lands, running contrary to the notion of multiple use. The Rule ultimately vests too much discretion in individual authorizing officers to preclude other, productive uses, such as grazing, mining, and energy development, as incompatible with the goals of the restoration or mitigation under the lease, potentially over large tracts of public land. In reviewing the need for the 2024 Rule, the BLM has determined that it has sufficient tools to manage the public lands without inviting third parties to seek land use authorizations for those types of activities traditionally performed by the Bureau. For example, Interior may withdraw land under 43 U.S.C. 1714, but only after following certain procedural requirements. The 2024 Conservation and Landscape Health Rule, to the contrary, permits the BLM to take effectively the same action under a different guise without following the statutorily required procedures. For these reasons, the BLM has determined it is appropriate to repeal the leasing provisions at 43 CFR 6102.4 and 6102.4.1.

Congress often permits agencies to set aside land and to prevent development for preservation purposes, such as when Congress designates a Wilderness Area or National Park. But when Congress does take such action, it says so explicitly. The Conservation and Landscape Health Rule, therefore, makes no sense in statutory context and is not supported by clear statutory authority. *West Virginia* v. *EPA,* 597 U.S. 697 (2022).

The 2024 Rule also unlawfully and unnecessarily expanded the scope of the BLM's regulations governing the designation and management of areas of critical environmental concern (ACECs). ACEC designations (and nominations) can create conflicts with the use of BLM-managed land for recreation, grazing, development, and extractive uses. ACEC nominations often target public land that is subject to pending project applications, causing project delays even when the nominations are clearly without merit. In order to manage the public lands under principles of multiple use and sustained yield, the BLM must have the flexibility to protect resources while also allowing for productive use of the land, in all cases where appropriate. The 2024 Rule allows for temporary management of ACECs with hardly any of the procedures usually required to designate ACECs. This distorts the normal ACEC process. These temporary management areas not yet designated as ACECs interfere with productive use of the land without engaging in the planning process. Thus, the 2024 Rule denies opportunities for public participation to determine whether the ACEC designation is even warranted. Moreover, the 2024 Rule's heightened standard for de-designation of an existing ACEC puts an added and unnecessary burden on any effort to revisit the continuing need for protection in those places, including where a different use of the land would be both appropriate and productive. For these reasons, the BLM proposes to restore the ACEC regulations to the form they took prior to promulgation of the 2024 Rule. The BLM is also inviting public comment as to whether those legacy ACEC regulations should be restored verbatim, as is proposed, or revised to allow for more efficient and flexible management of ACECs as part of managing under principles of multiple use and sustained yield. It is the policy of the Secretary that ACEC regulations should be as flexible as possible to allow for productive uses of land consistent with FLPMA.

The 2024 Rule's land health regulations, meanwhile, include provisions that often require the BLM to act on a fixed or rapid timetable, interfering with previously authorized use of the public lands. These provisions hamstring the Bureau by displacing its usual processes to meet a deadline. The 2024 Rule therefore interferes with the Bureau's ability to reach the decision that best balances management of the public lands for multiple use and sustained yield. Because that action-forcing mechanism is the lynchpin of the land health provisions, the BLM is proposing to repeal 43 CFR subpart 6103, promulgated by the 2024 Rule.

The BLM has also determined that the balance of the regulations promulgated by the 2024 Rule across 43 CFR part 6100 add unnecessary burdens to BLM decision making and management of the public lands. Although they tend not to compel specific BLM action, they affect

[1] FLPMA defines both terms. Multiple use ''means the management of the public lands and their various resource values so that they are utilized in the combination that will best meet the present and future needs of the American people; making the most judicious use of the land for some or all of these resources or related services over areas large enough to provide sufficient latitude for periodic adjustments in use to conform to changing needs and conditions; the use of some land for less than all of the resources; a combination of balanced and diverse resource uses that takes into account the long-term needs of future generations for renewable and nonrenewable resources, including, but not limited to, recreation, range, timber, minerals, watershed, wildlife and fish, and natural scenic, scientific and historical values; and harmonious and coordinated management of the various resources without permanent impairment of the productivity of the land and the quality of the environment with consideration being given to the relative values of the resources and not necessarily to the combination of uses that will give the greatest economic return or the greatest unit output.'' 43 U.S.C. 1702(c). Sustained yield ''means the achievement and maintenance in perpetuity of a high-level annual or regular periodic output of the various renewable resources of the public lands consistent with multiple use.'' *Id.* § 1702(h).

BLM processes by requiring that the BLM consider certain values (*e.g.,* ''intact landscapes'') in planning or document a justification for implementation-level decisions that would have certain impacts. The BLM should, and already does, consider and account for the full range of issues and values when engaged in the planning process and for the impacts of the permitting and other implementation-level management decisions that it makes. To provide by rule for an additional requirement to do so, however, invites third-party challenge to BLM planning and permitting decisions, including many fruitless challenges designed to slow down the implementation of those decisions through litigation. For that reason, among others, the BLM is proposing to repeal those provisions.

Finally, the 2024 Rule and its economic analysis concluded that the rule was not anticipated to have wide-reaching impacts. The agency received 216,403 public comments, 152,673 of which the agency formally considered at final. Many of these comments, including those submitted by representatives of landowners, states, and municipalities, expressed concern that the 2024 Rule would have wide-ranging economic impacts that may have been materially underestimated in the analysis. In re-evaluating the 2024 Rule, the agency is taking a closer look at those public comments and believes that they may raise important questions about whether the economic impacts of the 2024 Rule were materially underestimated. The agency is therefore soliciting comment on the economic effects associated with both the 2024 Rule and this proposal to repeal that rule.

The BLM seeks comment on all of the above, as well as any other reasons to keep or rescind the 2024 Conservation and Landscape Health Rule. The BLM would appreciate comments on, among other things, the statutory authority for the 2024 Rule, the costs and benefits of the 2024 Rule, and the effect of the 2024 Rule on productive uses of land.

Procedural Matters

Regulatory Flexibility Act

Under the Regulatory Flexibility Act (as amended by the Small Business Regulatory Enforcement Fairness Act (SBREFA) of 1996; 5 U.S.C. 601 *et seq.*), whenever a Federal agency is required to publish a notice of rulemaking for any proposed or final rule, it 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 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. Here, if adopted as proposed, this rule may have a significant economic impact on a substantial number of small entities.

This proposed rule seeks comment on the rescission of the 2024 Conservation and Landscape Health Rule. When it promulgated the Conservation and Landscape Health rule in 2024, the BLM certified that it would not have a significant economic effect on a substantial number of small entities under the Regulatory Flexibility Act. That analysis identified the size standards defining small businesses in the many different industries that may be affected by the 2024 Rule, including beef cattle ranching, natural resource extraction, energy production, energy transmission, and environmental consulting and remediation services. Based on these size standards, the BLM concluded that there may be small businesses affected by the 2024 Rule. However, based on the information available, the BLM did not find evidence suggesting there would be a significant impact on these small businesses.

Because this proposed rule would rescind that 2024 Rule, it is expected that there may be impacts on small businesses but in the reverse. The size of the potential impact on these businesses is unknown at this time. Repeal of certain provisions of the 2024 Rule, such as the provisions related to restoration or mitigation leases and land health standards, may decrease restoration and mitigation activity on public lands. This may negatively impact small entities working in environmental consulting and remediation, or other land users. Conversely, the proposed rule may benefit small entities in grazing or extractive resource sectors if provisions of the 2024 Rule would have reduced their opportunities to operate on public lands.

The reasons for this deregulatory action are set out above, along with a succinct statement of the objectives and legal basis for the proposed rule. *See* 5 U.S.C. 603(b)(1)–(2). Further description of the number of small entities potentially impacted by this deregulatory action and the size of any impact is provided in the document titled, ''Economic Analysis for Draft Rescission: Conservation and Landscape Health Rule,'' which is part of the eRulemaking docket. As part of the public comment process and for its final regulatory flexibility analysis under 5 U.S.C. 604, if one is required, the BLM will undertake that estimate process in consultation with the Office of Advocacy.

The BLM considered two alternatives to the proposed rule. First, the BLM considered a partial repeal of the 2024 requirements that would repeal all sections except those related to restoration and mitigation leases (43 CFR 6102.4). Such a repeal was not selected because there are serious questions concerning the BLM's authority to maintain those provisions and because repeal of the leasing provisions is of particular policy concern. Second, the BLM considered phasing in the repeal of the 2024 Rule over time. This option was not selected because it would unnecessarily delay any benefits from this Proposed Rule.

Paperwork Reduction Act

The Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3501–3521) generally provides that an agency may not conduct or sponsor, and not withstanding any other provision of law a person is not required to respond to, a collection of information, unless it displays a currently valid Office of Management and Budget (OMB) control number. The information collection requirements contained in Part 6100 are approved by OMB under OMB Control Number 1004–0218 with a current expiration date of January 31, 2028.

The proposed rule would eliminate the following information collection requirements:

- Restoration and Mitigation Leasing/ Restoration or Mitigation Development Plan—43 CFR 6102.4(a)(6) and (7);
- Restoration and Mitigation Leasing/ Additional Information 43 CFR 6102.4(a)(8);
- Restoration and Mitigation Leasing/ Monitoring Plan—43 CFR 6102.4(a)(9);
- Restoration and Mitigation Leasing/ Annual Report—43 CFR 6102.4(a)(9);
- Termination and Suspension of Restoration and Mitigation Leases/ written request to resume or suspended activity—43 CFR 6102.4.1(d)(3);
- Bonding for Restoration and Mitigation Leases—43 CFR 6102.4.2(a);
- Mitigation/Approval third parties as mitigation fund holders—43 CFR 6102.5.1(e); and
- Mitigation/Approval third parties as mitigation fund holders/Annual Fiscal Reports—43 CFR 6102.5.1(e).

Upon the publication of the final rule in the **Federal Register**, as applicable, the BLM will submit a request to OMB

to discontinue OMB Control Number 1004–0218. The proposed rescission of these regulations, along with the information collection requirements contained therein and the discontinuance of OMB Control Number 1004–0218 would reduce public information collection burdens by 63 annual responses and 1,459 annual burden hours.

If you want to comment on the proposed rescission of the information-collection requirements that would result from this proposed rule, please send your comments and suggestions on this proposed action as previously described in the **DATES** and **ADDRESSES** sections.

National Environmental Policy Act

The BLM intends to apply the Departmental Categorical Exclusion (CX) at 43 CFR 46.210(i) to comply with the National Environmental Policy Act (NEPA). This CX covers policies, directives, regulations, and guidelines that are of an administrative, financial, legal, technical, or procedural nature or whose environmental effects are too broad, speculative, or conjectural to lend themselves to meaningful analysis and will later be subject to the NEPA process, either collectively or case-by-case. Further, the proposed rule does not implicate any of the extraordinary circumstances listed in 43 CFR 46.215. The BLM plans to document the applicability of the CX concurrently with development of the final rule.

Regulatory Planning and Review Under Executive Order 12866

Section 6(a) of E.O. 12866 requires agencies to submit ''significant regulatory actions'' to OIRA for review. OIRA has determined that this proposed regulatory action constitutes a ''significant regulatory action'' under section 3(f) of E.O. 12866. Accordingly, this action was submitted to OIRA for review under E.O. 12866.

BLM is required to conduct an economic analysis in accordance with section 6(a)(3)(B) of E.O. 12866. More can be found in the document titled, ''*Economic Analysis for Draft Recission: Conservation and Landscape Health Rule,*'' which is part of the eRulemaking docket.

Review Under Executive Orders 14154 and 14192

DOI has examined this proposed rulemaking and has tentatively determined that it is consistent with the policies and directives outlined in E.O. 14154 ''Unleashing American Energy,'' and E.O. 14192, ''Unleashing Prosperity Through Deregulation.'' This proposed rule, if finalized as proposed, is expected to be an E.O. 14192 deregulatory action.

Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use (E.O. 13211)

Under E.O. 13211, agencies are required to prepare and submit a Statement of Energy Effects to the Administrator of the Office of Information and Regulatory Affairs, Office of Management and Budget, for those matters identified as significant energy actions. This statement is to include a detailed statement of ''any adverse effects on energy supply, distribution, or use (including a shortfall in supply, price increases, and increased use of foreign supplies) should the proposal be implemented'' and ''reasonable alternatives to the action with adverse energy effects and the expected effects of such alternatives on energy supply, distribution, and use.''

Section 4(b) of E.O. 13211 defines a ''significant energy action'' as ''any action by an agency (normally published in the **Federal Register**) that promulgates or is expected to lead to the promulgation of a final rule or regulation, including notices of inquiry, advance notices of proposed rulemaking, and notices of proposed rulemaking: (1)(i) that is a significant regulatory action under E.O. 12866 or any successor order, and (ii) is likely to have a significant adverse effect on the supply, distribution, or use of energy; or (2) that is designated by OIRA as a significant energy action.''

This proposed rule, if finalized as proposed, is expected to not have a significant effect on the Nation's energy supply.

(Authority: 16 U.S.C. 7202; 43 U.S.C. 1701 *et seq.*)

This action is taken pursuant to an existing delegation of authority.

Adam G. Suess,

Acting Assistant Secretary, Land and Minerals Management.

List of Subjects

43 CFR Part 1610

Administrative practice and procedure, Coal, Environmental impact statements, Environmental protection, Intergovernmental relations, Public lands, Preservation and conservation.

43 CFR Part 6100

Ecosystem resilience, Conservation use, Land health, and Restoration.

For the reasons set out in the preamble, the Bureau of Land Management proposes to amend 43 CFR parts 1600 and 6100 as follows:

PART 1600—PLANNING, PROGRAMMING, BUDGETING

■ 1. The authority citation for part 1600 continues to read as follows:

Authority: 43 U.S.C. 1711–1712

■ 2. Revise § 1610.7–2 to read as follows:

§ 1610.7–2 Designation of areas of critical environmental concern.

Areas having potential for Areas of Critical Environmental Concern (ACEC) designation and protection management shall be identified and considered throughout the resource management planning process (see §§ 1610.4–1 through 1610.4–9).

(a) The inventory data shall be analyzed to determine whether there are areas containing resources, values, systems or processes or hazards eligible for further consideration for designation as an ACEC. In order to be a potential ACEC, both of the following criteria shall be met:

(1) Relevance. There shall be present a significant historic, cultural, or scenic value; a fish or wildlife resource or other natural system or process; or natural hazard.

(2) Importance. The above-described value, resource, system, process, or hazard shall have substantial significance and values. This generally requires qualities of more than local significance and special worth, consequence, meaning, distinctiveness, or cause for concern. A natural hazard can be important if it is a significant threat to human life or property.

(b) The State Director, upon approval of a draft resource management plan, plan revision, or plan amendment involving ACECs, shall publish a notice in the **Federal Register** listing each ACEC proposed and specifying the resource use limitations, if any, which would occur if it were formally designated. The notice shall provide a 60-day period for public comment on the proposed ACEC designation. The approval of a resource management plan, plan revision, or plan amendment constitutes formal designation of any ACEC involved. The approved plan shall include the general management practices and uses, including mitigating measures, identified to protect designated ACEC.

PART 6100—[REMOVED]

■ 3. Under the authority of 43 U.S.C. 1701 *et seq.,* remove part 6100.

[FR Doc. 2025–17537 Filed 9–10–25; 8:45 am]

BILLING CODE 4331–27–P

OFFICE OF MANAGEMENT AND BUDGET

Office of Federal Procurement Policy

48 CFR Part 9903 and 9904

RIN 0348–AB90

Conformance of Cost Accounting Standards to Generally Accepted Accounting Principles for Cost Accounting Standards 404, 408, 409, and 411

AGENCY: Cost Accounting Standards Board, Office of Federal Procurement Policy, Office of Management and Budget.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Office of Federal Procurement Policy (OFPP), Cost Accounting Standards Board (the Board), is releasing this notice of proposed rulemaking (NPRM) to elicit public comments on proposed changes to the Cost Accounting Standards (CAS) to conform CAS 404, 408, 409, and 411 to Generally Accepted Accounting Principles (GAAP). This notice combines CAS Board Case 2020–01 related to CAS 404 and CAS 411 and CAS Board Case 2021–02 related to CAS 408 and CAS 409 to provide a streamlined and efficient process for expedited completion of rulemaking for these two cases.

DATES: Comments must be in writing and must be received by October 14, 2025.

ADDRESSES: Submit comments to the *Federal Rulemaking Portal: https://www.regulations.gov.* by searching for ''CASB 2025–01''. Select the link ''Comment Now'' that corresponds with ''CASB 2025–01''. Follow the instructions provided on the ''Comment Now'' screen. Please include your name, company name (if any), and ''CASB 2025–01'' on your attached document. If your comment cannot be submitted using *https://www.regulations.gov,* call or email the points of contact in the **FOR FURTHER INFORMATION CONTACT** section of this document for alternate instructions. Comments received generally will be posted without change to *https://www.regulations.gov,* including any personal and/or business confidential information provided. Public comments may be submitted as an individual, as an organization, or anonymously (see frequently asked questions at *https://www.regulations.gov/faq*). To confirm receipt of your comment(s), please check *https://www.regulations.gov,* approximately two or three days after submission to verify posting.

Privacy Act Statement: The Board proposes this rule to elicit public views pursuant to 41 U.S.C. 1502. Submission of comments is voluntary. The information will be used to inform sound decision-making. Do not include any information you would not like to be made publicly available. Additionally, the OMB System of Records Notice, OMB Public Input System of Records, OMB/INPUT/01, 88 FR 20913 (available at *www.federalregister.gov/documents/2023/04/07/2023–07452/privacy-act-of-1974-system-of-records*), includes a list of routine uses associated with the collection of this information.

FOR FURTHER INFORMATION CONTACT: John L. McClung, Manager, Cost Accounting Standards Board (telephone: 202–881–9758; email: *john.l.mcclung2@omb.eop.gov*).

SUPPLEMENTARY INFORMATION:

I. Background

Section 820 of the 2017 National Defense Authorization Act modified statutory responsibilities of the Board, codified at 41 U.S.C. 1501(c). These changes require the Board to conform CAS to GAAP and minimize the burden on contractors while protecting the interests of the Government. On March 13, 2019, the Board published a staff discussion paper (SDP) (84 FR 9143). The SDP established a global roadmap to help guide its approach to conformance. The roadmap identified seven standards (404, 407, 408, 409, 411, 415, and 416) as most suitable for potential conformance to GAAP. Each of these standards focuses primarily on cost measurement and assignment of costs to accounting periods.

The Board noted that despite the difference in general focus between CAS and GAAP, there has been some convergence over the years as GAAP has evolved to address cost measurement and assignment of costs to accounting periods. Furthermore, the creation of the Financial Accounting Standards Boards (FASB) and the Accounting Standards Codification (ASC) as the recognized financial accounting and reporting standards for GAAP fosters increased uniformity and consistency. The FASB is recognized by the U.S. Securities and Exchange Commission as the designated accounting standard setter for public companies. FASB standards are recognized as authoritative by many other organizations, including State Boards of Accountancy and the American Institute of Certified Public Accountants (AICPA). The Board has concluded that these developments create opportunities to modify or eliminate overlapping CAS requirements—many of which have remain unchanged for over 50 years—where GAAP standards under ASC may be applied reasonably as a substitute for CAS to support contract cost and pricing.

The March 2019 SDP also included the Board's initial assessment of CAS 408 and CAS 409 to conform them, where practicable, to GAAP. Based on the public comments from the SDP, and additional research conducted by the Board, the Board published an advanced notice of proposed rulemaking (ANPRM) (89 FR 53575) on June 27, 2024. The ANPRM noted the Board's provisional conclusions that CAS 408 could be eliminated in its entirety and the vast majority of CAS 409 could also be eliminated.

On September 18, 2020, the Board published an SDP (85 FR 58399) to solicit views with respect to the Board's initial assessment of CAS 404 and CAS 411 to conform them, where practicable, to GAAP. Based on the public comments from the SDP, and additional Board research, the Board published an ANPRM (90 FR 5803) on January 17, 2025. The ANPRM noted the Board's provisional conclusions that the vast majority of CAS 404 could be eliminated and that CAS 411 could be eliminated in its entirety.

In regards to CAS 408 and CAS 411, the Board provisionally concluded that these standards in their entirety have become unnecessary to protect the Government's interests, which may be achieved through reliance on GAAP, existing requirements in other CAS Standards, and the Federal Acquisition Regulation (FAR).

In regards to CAS 404 and CAS 409, the Board provisionally concluded that nearly all of the content in these standards has become unnecessary to protect the Government's interests which may be achieved through reliance on GAAP, existing requirements in other CAS Standards and the FAR. Because of the limited amount of content identified for retention, the Board provisionally concluded that moving the retained requirements to another Standard rather than maintaining CAS 404 and CAS 409 with minimal content would best achieve the goal of streamlining CAS.

This NPRM reflects input from the public, as well as research conducted by the Board. Unique CAS requirements were assessed for their necessity in protecting the interests of the Government or if the existing requirements in other CAS Standards or requirements in other relevant regulations may protect the interests of the Government. This NPRM is issued by the Board in accordance with the requirements of 41 U.S.C. 1502.

II. CAS 404—Capitalization of Tangible Assets

A. Overview and Conclusion

CAS 404 was initially published February 27, 1973, at 38 FR 5318. It requires contractors, for the purposes of cost measurement, to establish and adhere to policies with respect to capitalization of the acquisition costs of tangible assets. CAS 404 also established criteria that the contractor's policies and procedures must satisfy. CAS 404 was modified in 1996 by the addition of CAS 404–50(d) to address issues relating to the treatment of gains or losses attributable to tangible capital assets subsequent to mergers or business combinations by government contractors, along with other relatively modest changes. With the exception of the 1996 additions, CAS 404 has remained static for over 50 years.

As noted in the ANPRM, the comparison of CAS 404 with pertinent GAAP content revealed significant overlap and equivalent requirements with the noted exception of CAS 404–50(d)., which protects the government from paying duplicative costs when government contractors merge or are acquired. Absent the requirements of CAS 404–50(d)(1) the government would be at risk if an asset was increased in value such that the combined depreciation recognized by the both the acquired company and the acquiring company for government contracts exceeds the historic cost for which the asset was originally purchased for use. For all other requirements in CAS 404 a comparable requirement exists in GAAP that would protect the Government's interests and promote uniformity and consistency. The Board has concluded that reliance on GAAP would materially achieve uniformity and consistency necessary for government contracting. Furthermore, other CAS requirements adequately protect the government's interests. The Board has concluded that the Government's interests are adequately protected by relying on disclosed GAAP practices that are consistently followed and subject to notice of changes and cost recovery as follows: (1) All contractors whether subject to full or modified CAS coverage are subject to CAS 401 and will continue to be required to consistently follow their disclosed or actual cost accounting practices; and (2) They will continue to be bound by the 9903.201–4 CAS contract clauses requiring disclosure and consistency in cost accounting practices regardless of whether a specific standard exists. These contract clauses implement the statutory requirements for disclosure of 41 U.S.C. 1502(f)(1) and protections from payment of increased costs as a result of changes to contractor's cost accounting practices provided by 41 U.S.C. 1502(f)(2).

In summary, the Board has concluded that CAS 404, with the exception of CAS 404–50(d)(1), has become unnecessary to protect the Government's interests, which may be achieved through reliance on GAAP and other CAS Standards. Therefore, the Board is proposing to eliminate CAS 404 and retain the requirements CAS 404–50(d)(1) by relocating them to a new paragraph 9904.406–50(g) instead of maintaining an entire Standard. The new paragraph 9904.406–50(g) will also include the retained requirements from CAS 409 discussed in Section IV. below. The Board seeks comment on such action in this NPRM.

This action would be consistent with the Board's guiding principles for conforming CAS to GAAP because it would eliminate CAS content to minimize the burden on contractors while protecting the interests of the Federal Government. Furthermore, the Board's conclusion on CAS 404 would align with the guiding principles to rely on coverage in GAAP when it would materially achieve uniformity and consistency in cost accounting without bias or prejudice to either party, rely on other CAS Standards which may protect the Government's interests, and eliminate CAS coverage no longer necessary.

The Board has not identified any instance where the elimination of CAS 404, as contemplated, would result in a change to a contractor's disclosed cost accounting practices for government contracts. With the noted exception of CAS 404–50(d), which is being retained, the current CAS requirements are nearly identical to GAAP. The Board expects that contractors would continue to follow their existing practices as they are both compliant with CAS and GAAP. As such, having identified no cost accounting practice changes as a result of this proposed rule any current or future changes related to capitalization of the acquisition costs of tangible assets would be considered unilateral as defined in 9903.201–6(b)(2). The Board is interested in comments on this determination and any instances requiring further consideration by the Board.

B. Summary of Public Comments CAS 404

The Board received two sets of public comments to the ANPRM related to CAS 404 both coming from industry associations.

Comment: Both of the public respondents agreed with the Board's provisional conclusion to eliminate CAS 404. However, they also both would prefer CAS 404–50(d)(1) not be retained. In addition, if retained they believe CAS 418 is not an appropriate location as CAS 404–50(d)(1) does not address allocation of either direct or indirect costs and relates to measurement as asserted by the Board in the ANPRM.

Response: The Board continues to believe the CAS 404–50(d)(1) difference between CAS and GAAP may create an exposure of unknown materiality and place the Government at risk of paying twice for the same assets. The Board has concluded that the underlying issue relates to the measurement of costs and therefore should be addressed by the Board. However, the Board agrees with the commentors that the location should be adjusted and is proposing to retain the requirements in CAS 404–50(d)(1) but move them to a new section in new paragraph 9904.406–50(g). This proposed action would be consistent with the Board's guiding principles to eliminate content from CAS where GAAP, other CAS Standards or other relevant regulations may protect the interests of the Government. In addition, the Board concluded that moving the retained requirement to another Standard rather than maintaining CAS 404 with minimal content would best achieve the goal of streamlining CAS. The Board is seeking comments on such actions in this NPRM.

III. CAS 408—Accounting for Costs of Compensated Personal Absence

A. Overview and Conclusion

CAS 408 was initially published September 19, 1974, at 39 FR 33681. The stated purpose of the standard was to improve, and provide uniformity in, the measurement of costs of vacation, sick leave, holiday, and other compensated personal absence for a cost accounting period, and thereby increase the probability that the measured costs are allocated to the proper cost objectives.

The principal need for the promulgation of CAS 408, which has remained nearly unchanged for 50 years, no longer exists. GAAP has been revised significantly with additional content since the original promulgation of CAS 408. Comparison of CAS 408 with pertinent GAAP content revealed significant overlap and nearly completely equivalent requirements. For each requirement in CAS 408, the Board identified that a comparable requirement exists in GAAP that would protect the Government's interests and promote uniformity and consistency.

CAS 408 is nearly duplicative of GAAP. The Board identified only one difference between CAS and GAAP that required further consideration. GAAP requires accrual of accumulated rights in addition to vested rights in the year earned, unlike CAS which only requires the accrual of entitled (*i.e.,* vested) rights. The Board has concluded that reliance on GAAP would materially achieve the uniformity and consistency necessary for government contracting. Furthermore, as discussed in Section II above, CAS 401 and the 9903.201–4 CAS contract clauses adequately protect the Government's interests by protecting the Government from payment of increased costs as a result of changes to a contractor's accounting practices.

In summary, the Board has concluded that CAS 408 has become unnecessary to protect the Government's interests which may be achieved through reliance on GAAP and other CAS Standards. Therefore, the Board is issuing this proposed rule that would eliminate CAS 408 and seeks comment on such action in this NPRM. This action would be consistent with the Board's guiding principles for conforming CAS to GAAP because it would eliminate CAS content to minimize the burden on contractors while protecting the interests of the Government. Furthermore, the Board's provisional conclusion on CAS 408 would align with the guiding principles to rely on coverage in GAAP when it would materially achieve uniformity and consistency in cost accounting without bias or prejudice to either party, rely on other CAS Standards which may protect the Government's interests, and eliminate CAS coverage no longer necessary.

The Board recognizes that conformance to GAAP related to CAS 408 may result in accounting practices changes in some cases as GAAP allows assigning the costs to earlier cost accounting periods than CAS 408 currently permits. Because GAAP requires estimates and adjustments for forfeitures, the Board continues to believes these differences would only result in immaterial timing differences. As such, the Board seeks to eliminate the administration burden of the cost impact process and is proposing to exempt these changes from the required cost impact process by the addition of 9903.201–9(b).

B. Summary of Public Comments for CAS 408

The Board received five sets of comments from the public in response to the ANPRM. These comments came from companies, industry associations, professional associations, and individuals.

Comment: Four sets of comments generally agreed with the proposed changes and basis described by the Board in the ANPRM. However, one of those commentors believes the Board should focus more on recommendations of the Section 809 Panel instead of GAAP conformance efforts. The commentor asserted that the Panel's recommendations, such as raising the thresholds for CAS applicability, full CAS compliance, and disclosure requirements would be a more impactful way of reducing CAS administrative burden and promoting competition.

Response: The Board believes CAS–GAAP harmonization, which is statutorily required, and careful consideration of the section 809 Panel's recommendations are both deserving of prioritization, as reflected in the Board's agenda, which was recently published in the **Federal Register** at 90 FR 29048.

Comment: One commentor generally agreed with the Board's analysis and conclusions that requirements of GAAP and CAS 408 are nearly identical, but does not believe the Board should eliminate CAS standards. They believe the resultant administrative process for GAAP noncompliances identified by the Government would be significantly more complicated, less efficient, and not as equitable.

Response: As noted above and discussed in Section II above, CAS 401 and the 9903.201–4 CAS contract clauses adequately protect the Government's interests by protecting the Government from payment of increased costs as a result of changes to contractor's accounting practices. A contractor must follow their disclosed cost accounting practices and failure to do so would result in a noncompliance with their disclosed practices not GAAP. This would be consistent with the current administrative process for resolving a noncompliance with a disclosed practice. In addition, as noted in the guiding principles for CAS–GAAP conformance efforts (85 FRN 15857) the Board will continue to monitor future changes to GAAP and the FAR to identify and evaluate their impact to CAS and revise CAS, as necessary, through the rulemaking process. The Board will also monitor future significant disputes related to the elimination of any CAS requirements in conformance to GAAP, evaluate whether the Board should address them through clarifying guidance or the rulemaking process, and take action as necessary.

IV. CAS 409—Depreciation of Tangible Capital Assets

A. Overview and Conclusion

CAS 409 was initially published Jan. 29, 1975, at 40 FR 4259. The purpose of CAS 409 is to provide criteria and guidance for assigning costs of tangible capital assets to cost accounting periods and for allocating such costs in cost objectives within such periods in an objective and consistent manner. CAS 409 is based on the concept that depreciation costs identified with cost accounting periods and benefiting cost objectives within periods should be a reasonable measure of the expiration of service potential of the tangible assets subject to depreciation. The original preamble to the 1975 rulemaking also noted that depreciation cost was a significant issue at the time, and explained many contractors primarily relied on the Internal Revenue Code (IRC) to measure depreciation costs. The IRC contained accelerated depreciation methods for tax purposes, and the Board viewed this as inequitable and improper cost accounting because the methods did not match the depreciation expense over the useful life of the asset. GAAP now prohibits using the accelerated depreciation methods in the IRC for financial reporting purposes if the amounts do not fall within a reasonable range of the asset's useful life. Thus, one of the principal concerns for the promulgation of CAS 409 no longer exists. In addition, GAAP has added significant content since the initial promulgation of CAS 409, while CAS for the most part has not changed over the last 50 years.

As noted in the ANPRM, the comparison of CAS 409 with pertinent GAAP content revealed significant overlap and nearly completely equivalent requirements with the noted exceptions of CAS 409–50(e)(5), CAS 409–50(j)(1), and CAS 409–50(j)(4). For all other requirements in CAS 409 a comparable requirement exists in GAAP that would protect the Government's interests and promote uniformity and consistency. The Board has concluded

that reliance on GAAP would materially achieve uniformity and consistency necessary for Government contracting. Furthermore, as discussed in detail in Section II above, CAS 401 and the 9903.201–4 CAS contract clauses adequately protect the Government's interests by protecting the Government from payment of increased costs as a result of changes to contractor's accounting practices.

In summary, the Board has concluded that CAS 409, with the exception of CAS 409–50(e)(5), CAS 409–50(j)(1), and CAS 409–50(j)(4) has become unnecessary to protect the Government's interests which may be achieved through reliance on GAAP, and other CAS Standards. CAS 409–50(e)(5) retains the current flexibility of the contracting parties to agree on the estimated service life of individual tangible capital assets where the unique purpose for which the equipment was acquired or other special circumstances warrant a shorter estimated service life. CAS 409–50(j)(1) ensure that gains and losses are properly measured and assigned consistent with the costs of the associated depreciation charged. CAS 409–50(j)(4) protects the government against shifting of gains and losses associated with the disposition of tangible capital assets transferred in other than an arms-length transaction that are subsequently disposed of within 12. Therefore, the Board is issuing this proposed rule that would eliminate CAS 409 and retain the requirements of CAS 409–50(e)(5), CAS 409–50(j)(1), and CAS 409–50(j)(4) by relocating them to a new paragraph 9904.406–50(g) instead of maintaining an entire Standard 409. The new paragraph 9904.406–50(g) will also include the retained requirement from CAS 404 discussed in Section II above. The Board seeks comment on such action in this NPRM.

This action would be consistent with the Board's guiding principles for conforming CAS to GAAP because it would eliminate CAS content to minimize the burden on contractors while protecting the interests of the Government. Furthermore, the Board's conclusion on CAS 409 would align with the guiding principles to rely on coverage in GAAP when it would materially achieve uniformity and consistency in cost accounting without bias or prejudice to either party, rely on GAAP, and other CAS Standards which may protect the Government's interests, and eliminate CAS coverage no longer necessary.

The Board has not identified any instance where the elimination of CAS 409, as proposed would result in a change to a contractor's disclosed cost accounting practices for government contracts. With the noted exceptions of CAS 409–50(e)(5), CAS 409–50(j)(1), and CAS 409–50(j)(4), which would be retained, the current CAS requirements are nearly identical to GAAP. The Board expects that contractors would continue to follow their existing practices as they are both compliant with CAS and GAAP. As such, having identified no cost accounting practice changes as a result of this proposed rule any current or future changes related to capitalization of the acquisition costs of tangible assets would be considered unilateral as defined in 9903.201–6(b)(2). The Board is interested in comments on this determination, and any instances requiring further consideration by the Board.

B. Summary of Public Comments for CAS 409

The Board received five sets of comments from the public in response to the ANPRM. These comments came from companies, industry associations, professional associations, and individuals.

Comment: Four sets of comments generally agreed with the proposed changes and basis described by the Board in the ANPRM. One commentor generally agreed with the Board's analysis and conclusions that requirements of GAAP and CAS 409 are nearly identical, but does not believe the Board should eliminate CAS standards. They believe the resultant administrative process for GAAP noncompliances identified by the Government would be significantly more complicated, less efficient, and not as equitable.

Response: This substance of this comment was already addressed above, in the discussions of CAS 408.

V. CAS 411—Accounting for Acquisition Costs of Materials

A. Overview and Conclusion

CAS 411 was initially published on May 5, 1975, at 40 FR 19425. The purpose of CAS 411 is to provide criteria for the accounting for acquisition costs of material, and provisions on the use of inventory costing methods. The majority of the CAS 411 standard has remained static since the initial promulgation. The standard, however, was corrected in 1992 (57 FR 34167) to make clear that it does not cover accounting for the acquisition costs of tangible capital assets nor the accountability for government-furnished materials.

The principal need for the promulgation of CAS 411 no longer exists. As noted in the ANPRM, GAAP has been revised significantly with additional content and changes in requirements since the original promulgation of CAS 411 that has resulted in a significant overlap and nearly completely equivalent requirements between GAAP and CAS.

For requirements in CAS 411, a comparable requirement exists in GAAP, other CAS Standards, and FAR 31.205–26 Material costs that would protect the Government's interests and promote uniformity and consistency. The Board has concluded that reliance on GAAP would materially achieve uniformity and consistency necessary for government contracting. Furthermore, as discussed in Section II above, CAS 401 and the 9903.201–4 CAS contract clauses adequately protect the Government's interests by protecting the Government from payment of increased costs as a result of changes to contractor's accounting practices.

In summary, the Board has concluded that CAS 411 has become unnecessary to protect the Government's interests which may be achieved through reliance on GAAP, other CAS Standards and FAR 31.205–26 Material costs. Therefore, the Board is considering a proposed rule that would eliminate CAS 411 in its entirety. The Board seeks comment on such action in this NPRM.

This action would be consistent with the Board's guiding principles for conforming CAS to GAAP because it would eliminate CAS content to minimize the burden on contractors while protecting the interests of the Government. Furthermore, the Board's conclusion on CAS 411 would align with the guiding principles to rely on coverage in GAAP when it would materially achieve uniformity and consistency in cost accounting without bias or prejudice to either party, rely on GAAP, and other CAS Standards which may protect the Government's interests, and eliminate CAS coverage no longer necessary.

The Board has not identified any instance where the elimination of CAS 411 would result in a change to a contractor's disclosed cost accounting practices for government contracts. The Board expects that contractors would continue to follow their existing practices as they are both compliant with CAS and GAAP. As such, having identified no cost accounting practice changes as a result of this proposed rule any current or future changes related to capitalization of the acquisition costs of tangible assets would be considered unilateral as defined in 9903.201–6(b)(2). The Board is interested in comments on this determination, and

any instances requiring further consideration by the Board.

B. Summary of Public Comments for CAS 411

The Board received two sets of public comments to the ANPRM related to CAS 411 both coming from industry associations. Both of the public respondents generally agreed with the Board's analysis and provisional conclusion to eliminate CAS 411.

VI. Expected Impact of the Rule

The proposed rule is deregulatory in furtherance of 41 U.S.C. 1501(c), which requires the Board ensure that the Cost Accounting Standards used by contractors rely, to the maximum extent practicable, on commercial standards and accounting practices and systems. In addition, 41 U.S.C. 1501(c) requires the Board to conform CAS requirements, where practicable, to GAAP. The proposed rule would eliminate four of the current 19 CAS and retain only the minimal content the Board has identified as needed to protect the Government's interest by moving it to another standard. This would remove 68 of the 72 combined individual requirements contained in these four standards. The proposed rule will result in removal of over 10,000 words of unnecessary regulatory text currently in place in these four standards. Reliance on a contractor's disclosed GAAP practices for CAS purposes significantly reduces the regulatory footprint associated with CAS and places reliance commercial accounting practices under GAAP consistent with 41 U.S.C. 1501(c). These change if finalized are expected to reduce burden for contractors, external auditors, government auditors, and oversight functions by reducing duplicative compliance requirements.

These changes individually and in conjunction with the Board's ongoing broader CAS–GAAP conformance efforts and modernization of the CAS programmatic requirements are expected to simplify CAS administration and reduce barriers to entry for non-traditional contractors including new mid-size entities who no longer qualify as small businesses. These actions should increase competition in federal contracting, as envisioned by the Senate Armed Services Committee in promoting CAS–GAAP conformance (S. Rept. 114–25 Section 811), ''The committee is concerned that the current cost accounting standards favor incumbent defense contractors and limit competition by serving as a barrier to participation by non-traditional, small business, and commercial contractors. To level the competitive playing field to access new sources of innovation it is in the government's interest to adopt more commercial ways of contracting, accounting, and oversight.''

The Board is interested in comments on the expected impact of this rule, including any quantified estimates on the cost reductions and savings expected to be achieved by the proposed elimination of CAS 404, 408, 409, and 411.

VII. Regulatory Flexibility Act

CAS Board rules do not impact small entities within the meaning of the Regulatory Flexibility Act 5 U.S.C. 601–612. Contracts and subcontracts with small business concerns are exempted from all CAS requirements.

VIII. Executive Orders 12866, 13563, and 14192

Executive Orders (E.O.s) 12866 and 13563 direct agencies to assess all costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits (including potential economic, environmental, public health and safety effects, distributive impacts, and equity). E.O. 13563 emphasizes the importance of quantifying both costs and benefits, of reducing costs, of harmonizing rules, and of promoting flexibility. This is a significant regulatory action under E.O. 12866, Regulatory Planning and Review, dated September 30, 1993. This rule is anticipated to be deregulatory action under E.O. 14192 based on the discussion in the ''Expected Impact of the Rule'' section.

IX. Paperwork Reduction Act

The Paperwork Reduction Act, Public Law 96–511, does not apply to this proposed rule because this rule imposes no paperwork burden on offerors, affected contractors and subcontractors, or members of the public which requires the approval of OMB under 44 U.S.C. 3501, *et seq.*

List of Subjects in 48 CFR 9903 and 9904

Government procurement, Cost accounting standards.

Mathew Blum,

Acting Administrator, Office of Federal Procurement Policy, and Acting Chair, Cost Accounting Standards Board.

For the reasons set forth in the preamble, the Office of Federal Procurement Policy proposes to amend Chapter 99 of Title 48 of the Code of Federal Regulations as set forth below:

PART 9903—CONTRACT COVERAGE

■ 1. The authority citation for part 9903 continues to read as follows:

Authority: Pub. L. 111–350, 124 Stat. 3677, 41 U.S.C. 1502.

Subpart 9903.201 [Amended]

■ 2. In § 9903.201–9, add paragraph (b) to read as follows:

§ 9903.201–9 Treatment of certain compliant cost accounting practice changes related to conformance of CAS to GAAP.

* * * * *

(b) Conformance of CAS 408 to GAAP

The contract price and cost adjustment requirements of part 9903 are not applicable to changes directly associated with the conformance of CAS 408 to GAAP. Changes must be disclosed and made during the contractor's fiscal year directly following the effective date of the final rule.

PART 9904—COST ACCOUNTING STANDARDS

■ 3. The authority citation for part 9904 continues to read as follows:

Authority: Pub. L. 100–679, 102 Stat. 4056, 41 U.S.C. 422.

Subpart 9904.404—[Removed and Reserved]

■ 4. Remove and reserve subpart 9904.404.

Subpart 9904.406 [Amended]

■ 5. In § 9904.406–50, add paragraph (g) to read as follows:

§ 9904.406–50 Techniques for application

* * * * *

(g) Elimination of CAS 404 and 409 as a result of CAS–GAAP conformance by the Board resulted in the following retained content related to asset accounting and depreciation:

(1) When gains and losses are recognized on disposition of tangible capital assets, the gains or losses shall be considered as adjustments of depreciation costs previously recognized and shall be assigned to the cost accounting period in which disposition occurs. The gain to be recognized for contract costing purposes shall be limited to the difference between the original acquisition cost of the asset and its undepreciated balance.

(2) Gains and losses on disposition of tangible capital assets transferred in

other than arm's-length transaction and subsequently disposed of within 12 months from the date of transfer shall be assigned to the transferor.

(3) The capitalized values of tangible capital assets acquired in a business combination shall be assigned to these assets as follows: All the tangible capital assets of the acquired company that during the most recent cost accounting period prior to a business combination generated either depreciation expense or cost of money charges that were allocated to Federal government contracts or subcontracts negotiated on the basis of cost, shall be capitalized by the buyer at the net book value(s) of the asset(s) as reported by the seller at the time of the transaction.

(4) The contracting parties may agree on the estimated service life of individual tangible capital assets where the unique purpose for which the equipment was acquired or other special circumstances warrant a shorter estimated service life and where the shorter life can be reasonably predicted.

Subpart 9904.408—[Removed and Reserved]

■ 6. Remove and reserve subpart 9904.408.

Subpart 9904.409—[Removed and Reserved]

■ 7. Remove and reserve subpart 9904.409.

Subpart 9904.411—[Removed and Reserved]

■ 8. Remove and reserve subpart 9904.411.

[FR Doc. 2025–17472 Filed 9–10–25; 8:45 am]

BILLING CODE 3110–01–P

Notices

Federal Register
Vol. 90, No. 174
Thursday, September 11, 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

Animal and Plant Health Inspection Service

[Docket No. APHIS–2025–0027]

Revision to and Extension of Approval of an Information Collection; Importation of Sheep, Goats, and Certain Other Ruminants

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Revision to and extension of approval of an information collection; comment request.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, this notice announces the Animal and Plant Health Inspection Service's intention to request a revision to and extension of approval of an information collection regarding activities associated with its efforts to safeguard the health of the U.S. livestock and poultry populations from diseases that might be introduced or spread by the importation of small and exotic ruminants.

DATES: We will consider all comments that we receive on or before November 10, 2025.

ADDRESSES: You may submit comments by either of the following methods:

- *Federal eRulemaking Portal:* Go to *http://www.regulations.gov.* Enter APHIS–2025–0027 in the Search field. Select the Documents tab, then select the Comment button in the list of documents.
- *Postal Mail/Commercial Delivery:* Please send one copy of your comment to Docket No. APHIS–2025–0027, Regulatory Analysis and Development, PPD, APHIS, 5601 Sunnyside Ave., #AP760, Beltsville, MD 20705.

Supporting documents and any comments we receive on this docket may be viewed at *http://www.regulations.gov* or in our reading room, which is in room 1620 of the USDA South Building, 14th Street and Independence Avenue SW, Washington, DC. Normal reading room hours are 8 a.m. to 4:30 p.m., Monday through Friday, except holidays. To be sure someone is there to help you, please call (202) 799–7039 before coming.

FOR FURTHER INFORMATION CONTACT: For information on regulations governing the import of live animals, contact Dr. Mary Kate Anderson, Senior Staff Officer, Live Animal Imports, Strategy and Policy, Veterinary Services, APHIS, 8601 Sunnyside Ave., Beltsville, MD, (301) 789–4466; *marykate.anderson@usda.gov.* For more detailed information on the information collection process, contact Ms. Sheniqua Harris, Information Collection Coordinator, at (301) 851–2528 or email: *APHIS.PRA@usda.gov.*

SUPPLEMENTARY INFORMATION:

Title: Importation of Sheep, Goats, and Certain Other Ruminants.

OMB Control Number: 0579–0453.

Type of Request: Revision to and extension of approval of an information collection.

Abstract: Under the Animal Health Protection Act (7 U.S.C. 8301 *et seq.*), the Animal and Plant Health Inspection Service (APHIS) of the U.S. Department of Agriculture is authorized, among other things, to prohibit or restrict the interstate movement of animals and animal products to prevent the dissemination within the United States of animal diseases and pests of livestock and to conduct programs to detect, control, and eradicate pests and diseases of livestock.

APHIS regulates the importation of animals and animal products into the United States to guard against the introduction of animal diseases. The regulations in Title 9, *Code of Federal Regulations* (9 CFR) parts 91, 93, 94, 95, and 96 govern the importation of certain animals, birds, poultry, meat, other animal products and byproducts, hay, and straw into the United States to prevent the introduction of diseases such as bovine spongiform encephalopathy (BSE), a chronic degenerative disease that affects the central nervous system of cattle. The regulations also help prevent the spread of diseases currently in the United States, such as scrapie.

APHIS uses a variety of information collection procedures and forms to gather data in its efforts to prevent the introduction or spread of disease. Information collected via these procedures and forms includes, but is not limited to, the names of the exporter and importer of the animal commodities; the origins of the animals or animal products to be imported; the health status of the animals or the processing methods used to produce animal products to be imported; the destination of delivery in the United States; and whether the animals or animal products were temporarily offloaded in another country during transit to the United States.

We are asking the Office of Management and Budget (OMB) to approve our use of these information collection activities for an additional 3 years.

The purpose of this notice is to solicit comments from the public (as well as affected agencies) concerning our information collection. These comments will help us:

(1) Evaluate whether the collection of information is necessary for the proper performance of the functions of the Agency, including whether the information will have practical utility;

(2) Evaluate the accuracy of our estimate of the burden of the collection of information, including the validity of the methodology and assumptions used;

(3) Enhance the quality, utility, and clarity of the information to be collected; and

(4) Minimize the burden of the collection of information on those who are to respond, through use, as appropriate, of automated, electronic, mechanical, and other collection technologies; *e.g.,* permitting electronic submission of responses.

Estimate of burden: The public burden for this collection of information is estimated to average .5 hours per response.

Respondents: Importers of animals, animal products, and animal germplasm into the United States; foreign exporters of these items; foreign animal health authorities; and State animal health authorities.

Estimated annual number of respondents: 741.

Estimated annual number of responses per respondent: 22.

Estimated annual number of responses: 16,406.

Estimated total annual burden on respondents: 8,260 hours. (Due to

averaging, the total annual burden hours may not equal the product of the annual number of responses multiplied by the reporting burden per response.)

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.

Done in Washington, DC, this 8th day of September 2025.

Michael Watson,

Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 2025–17506 Filed 9–10–25; 8:45 am]

BILLING CODE 3410–34–P

DEPARTMENT OF AGRICULTURE

Food and Nutrition Service

Agency Information Collection Activities: State Administrative Expense Funds

AGENCY: Food and Nutrition Service (FNS), USDA.

ACTION: Notice.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, this notice invites the general public and other public agencies to comment on this proposed information collection. This collection is a revision of a currently approved collection for State administrative expense funds expended in the operation of the Child Nutrition Programs administered under the Child Nutrition Act of 1966.

DATES: Written comments must be received on or before November 10, 2025.

ADDRESSES: Comments may be sent to Penny Burke, Chief, Operational Support Branch, Food and Nutrition Service, U.S. Department of Agriculture, 1320 Braddock Place, Alexandria, VA 22314. Comments may also be submitted via email to *Penny.Burke@usda.gov.* Comments will also be accepted through the Federal eRulemaking Portal. Go to *http://www.regulations.gov,* and follow the online instructions for submitting comments electronically. All responses to this notice will be summarized and included in the request for Office of Management and Budget (OMB) approval and will become a matter of public record.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of this information collection should be directed to Penny Burke at (720) 822–8597.

SUPPLEMENTARY INFORMATION: 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 shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions that were 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 use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology.

Title: 7 CFR part 235—State Administrative Expense Funds.

Form Number: FNS–525.

OMB Number: 0584–0067.

Expiration Date: January 31, 2026.

Type of Request: Revision of a currently approved collection.

Abstract: Section 7 of the Child Nutrition Act of 1966 (Pub. L. 89–642), 42 U.S.C. 1776, authorizes the Department to provide Federal funds to State agencies (SAs) for administering the Child Nutrition Programs (7 CFR parts 210, 215, 220, 226 and 250). State Administrative Expense (SAE) Funds, 7 CFR part 235, sets forth procedures and recordkeeping requirements for use by SAs in reporting and maintaining records of their need and use of SAE funds. A summary of the reporting and recordkeeping burden associated with this revision is presented in the table below.

The FNS–525 State Administrative Expense Funds Reallocation Report is used by the State agencies to report information related to the SAE funds. 7 CFR 235.5(d) states that ''Annually, between March 1 and May 1 on a date specified by FNS, of each year, each State agency shall submit to FNS a State Administrative Expense Funds Reallocation Report (FNS–525) on the use of SAE funds.'' This report will be used to reallocate SAE funds.

The FNS–777 Financial Status Report was formerly associated with this collection. However, due to revisions made to FNS–525 for the 2022 renewal, completion of FNS–525 now provides all of the required information and it is no longer necessary to obtain information from the FNS–777. Therefore, the recordkeeping requirement and burden associated with FNS–777 is being removed from the collection. FNS–777 and its associated burden is approved under OMB Control Number 0584–0594 Food Programs Reporting System (FPRS) (expiration date September 30, 2026) and is therefore not included in this collection. Removing this recordkeeping requirement will reduce 216 responses and 54 burden hours from the recordkeeping burden, due to a program change, resulting in a new overall burden of 3,075 responses and 6,252 hours for this collection.

Affected Public: State, Local and Tribal Government. State Agencies are the respondents.

Estimated Number of Respondents: 83.

Estimated Number of Responses per Respondent: 37.048 across the entire collection. State agencies provide information on an annual basis.

Estimated Total Annual Responses: 3,075 (169 reporting and 2,906 recordkeeping).

Estimated Hours per Response: 2.033 across the entire collection. The estimated time of response varies from 15 minutes (.25 hours) to 8 hours.

Estimated Total Hours Annual Reporting Burden: 357.

Estimated Total Hours Annual Recordkeeping Burden: 5,895.

Estimated Total Annual Burden: 6,252.

Current OMB Inventory: 6,306.

Difference (requested with this renewal): −54.

Refer to the following table for estimated annual burden for each type of respondent:

Affected public	Estimated number of respondents	Number of responses per respondent	Estimated total annual responses	Estimated hours per response	Estimated total annual burden
Reporting					
State Agencies	83	2.036	169	2.112	357
Total Estimated Reporting Burden	83	2.036	169	2.112	357

Affected public	Estimated number of respondents	Number of responses per respondent	Estimated total annual responses	Estimated hours per response	Estimated total annual burden
Recordkeeping					
State Agencies	83	35.012	2,906	2.029	5,895
Total Estimated Recordkeeping Burden	83	35.012	2,906	2.029	5,895
Total of Reporting and Recordkeeping					
Reporting	83	2.036	169	2.112	357
Recordkeeping	83	35.012	2,906	2.029	5,895
Total	83	37.048	3,075	2.033	6,252

James C. Miller,

Administrator, Food and Nutrition Service.

[FR Doc. 2025–17531 Filed 9–10–25; 8:45 am]

BILLING CODE 3410–30–P

COMMISSION ON CIVIL RIGHTS

Notice of Public Meeting of the Illinois Advisory Committee; Correction

AGENCY: Commission on Civil Rights.

ACTION: Notice; correction to meeting time.

SUMMARY: The Commission on Civil Rights published a notice in the **Federal Register** on Thursday, July 24, 2025, concerning a meeting of the Illinois Advisory Committee. The meeting time has since changed from 3:00 p.m.–4:30 p.m. CT to 3:30 p.m.–5:00 p.m. CT.

FOR FURTHER INFORMATION CONTACT: Liliana Schiller, Support Services Specialist, at *lschiller@usccr.gov* or (202) 770–1856.

Correction: In the **Federal Register** on Thursday, July 24, 2025, in FR Document Number 2025–13944 on page 34836, third column, correct the meeting time to: 3:30 p.m.–5:00 p.m. CT.

Dated: September 9, 2025.

David Mussatt,

Supervisory Chief, Regional Programs Unit.

[FR Doc. 2025–17533 Filed 9–10–25; 8:45 am]

BILLING CODE 6335–01–P

COMMISSION ON CIVIL RIGHTS

Notice of Public Meetings of the Illinois Advisory Committee to the U.S. Commission on Civil Rights

AGENCY: U.S. Commission on Civil Rights.

ACTION: Notice of public meetings.

SUMMARY: Notice is hereby given, pursuant to the provisions of the rules and regulations of the U.S. Commission on Civil Rights (Commission) and the Federal Advisory Committee Act, that the Illinois Advisory Committee (Committee) to the U.S. Commission on Civil Rights will hold a public business meeting on Tuesday, November 18th, 2025, and Monday, December 15th, 2025, via Zoom at 3:30 p.m. CT. The purpose of these meetings is to discuss the Committee's civil rights topic of study on First and Fifth Amendment Rights and the use of Artificial Intelligence.

DATES:

Tuesday, November 18th, 2025, from 3:30 p.m. to 5:00 p.m. Central Time

Monday, December 15th, 2025, from 3:30 p.m. to 5:00 p.m. Central Time

ADDRESSES: The meetings will be held via Zoom Webinar. Members of the public only need to register once.

Registration Link (Audio/Visual) for All Meetings: https://www.zoomgov.com/webinar/register/WN_LDjkSSL6S6mGKkjcBQ0uUQ.

Join by Phone (Audio Only) for All Meetings: (833) 435–1820 USA Toll-Free; Meeting ID: 161 970 8403.

FOR FURTHER INFORMATION CONTACT: Ana Victoria Fortes, Designated Federal Officer, at *afortes@usccr.gov* or (202) 681–0857.

SUPPLEMENTARY INFORMATION: This committee meeting is available to the public through the registration link above. Any interested member of the public may listen to the meeting. An open comment period will be provided to allow members of the public to make a statement as time allows. Per the Federal Advisory Committee Act, public minutes of the meeting will include a list of persons who are present at the meeting. If joining via phone, callers can expect to incur regular charges for calls they initiate over wireless lines, according to their wireless plan. The Commission will not refund any charges incurred. Callers will incur no charge for calls initiated over land-line connections to the toll-free telephone number. Closed captioning will be available for individuals who are deaf, hard of hearing, or who have certain cognitive or learning impairments. To request additional accommodations, please email Liliana Schiller, Support Services Specialist, at *lschiller@usccr.gov* at least 10 business days prior to the meeting.

Members of the public are entitled to submit written comments; the comments must be received in the regional office within 30 days following the meeting. Written comments may be emailed to Ana Victoria Fortes at *afortes@usccr.gov.* Persons who desire additional information may contact the Regional Programs Coordination Unit at (202) 681–0857.

Records generated from this meeting may be inspected and reproduced at the Regional Programs Coordination Unit Office, as they become available, both before and after the meeting. Records of the meetings will be available via this file sharing website. Persons interested in the work of this Committee are directed to the Commission's website, *http://www.usccr.gov,* or may contact the Regional Programs Coordination Unit at the above phone number. For most up to date agenda, please visit *https://usccr.app.box.com/s/dl7hwsnvlr1yioxx6mdjbez6r81brzdk/folder/319900058384* found in the corresponding meeting folder.

Agenda

I. Welcome & Roll Call

II. Discussion: Civil Rights in Illinois

III. Public Comment

IV. Next Steps

V. Adjournment

Dated: September 9, 2025

David Mussatt,

Supervisory Chief, Regional Programs Unit.

[FR Doc. 2025–17532 Filed 9–10–25; 8:45 am]

BILLING CODE 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; Automated Export System Program

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 extension of the Automated Export System Program, 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 November 10, 2025.

ADDRESSES: Interested persons are invited to submit written comments by email to *Thomas.J.Smith@census.gov* or *PRAcomments@doc.gov.* Please reference Automated Export System Program in the subject line of your comments. You may also submit comments, identified by Docket Number USBC–2025–0138, 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 Kiesha Downs, Assistant Division Chief, Data User and Respondent Outreach, U.S. Census Bureau, 4600 Silver Hill Road, Washington, DC 20233–6700, (301) 763–7079, or by email *kiesha.downs@census.gov.*

SUPPLEMENTARY INFORMATION:

I. Abstract

Title 13, United States Code (U.S.C.), Chapter 9, Section 301 authorizes the U.S. Census Bureau (Census Bureau) to collect, compile and publish trade data. Title 15, Code of Federal Regulations (CFR), Part 30, known as the Foreign Trade Regulations (FTR), contains the regulatory provisions for preparing and filing Electronic Export Information (EEI) in the Automated Export System (AES). The Census Bureau uses the AES or successor system as the instrument for collecting export trade data from parties exporting commodities from the United States. In addition to the collection of data, the Census Bureau compiles these export data from the AES and these data are the basis for the official U.S. trade statistics on exports of commodities. These statistics are used to determine the balance of international trade and are designated for use as a principal economic indicator. The Census Bureau releases these statistics monthly according to the U.S. International Trade in Goods and Services Press Release Schedule.

These data are used in the development of U.S. government economic and foreign trade policies, including export control purposes under Title 50, U.S.C. The Bureau of Industry (BIS) and Security, U.S. Customs and Border Protection (CBP), and other enforcement agencies use these data to detect and prevent the export of certain items by unauthorized parties to unauthorized destinations or end users. Additionally, the data enables U.S. businesses to develop practical export marketing strategies as well as provide a means for the assessment of the impact of exports on the domestic economy.

The Census Bureau recognizes that any FTR revisions must maintain our ability to collect, compile, and deliver complete, accurate, and timely trade statistics while also supporting export control and enforcement efforts. To that end, on May 3, 2023, the Census Bureau issued a Notice of Proposed Rule Making (NPRM) titled ''Foreign Trade Regulations (FTR): State Department Directorate of Defense Trade Controls Filing Requirement and Clarifications to Current Requirements.'' The NPRM proposed to amend its regulations to reflect new export reporting requirements related to the U.S. Department of State, Directorate of Defense Trade Controls (DDTC) Category XXI Determination Number. Specifically, the Census Bureau proposed to add a conditional data element, DDTC Category XXI Determination Number, when ''21'' is selected in the DDTC United States Munitions List (USML) Category Code field in the AES to represent USML Category XXI. This change was proposed to prevent a subset of exporters from using the incorrect USML category codes. These changes outlined in this NPRM were subsequently implemented in the final rule issued on August 10, 2023. This rule also implemented corrective changes to the FTR, including revised International Traffic in Arms Regulations (ITAR) references for existing data elements such as the DDTC Significant Military Equipment Indicator and DDTC Eligible Party Certification Indicator, along with other remedial modifications originally proposed in the NPRM published on December 15, 2021, titled ''Foreign Trade Regulations (FTR): New Filing Requirement and Clarifications to Current Requirements''. Once implemented, the improper use of DDTC Category XXI significantly decreased and as a result the number of shipments went from approximately 77,000 prior to the implementation of this rule (January 2023 to August 2023) to three during the same period in 2025. These changes did not impact the reporting burden for the export trade community as only a subset of exporters were impacted; however, the rule increased the accuracy of the data collected and improved export compliance with the ITAR.

In the NPRM published on December 15, 2021, the Census Bureau also proposed adding the country of origin as a conditional data element. This field would only be required when foreign origin is selected in the Foreign/Domestic Origin Indicator field in the AES. Currently, foreign trade statistics lack the detail needed to identify domestic production gaps, evaluate supply chain vulnerabilities, or effectively address trade imbalances. The collection of country of origin would allow the Census Bureau to improve its foreign trade data products used by both internal and external stakeholders. After publication, the Census Bureau received multiple comments expressing concerns about the regulatory burden this new requirement would place on the trade community. The Census Bureau evaluated the comments and considered a different regulatory approach to

address the concerns regarding the addition of the country of origin field based on suggestions from the trade community. The Census Bureau published an NPRM titled ''Foreign Trade Regulations (FTR): Clarification of Filing Requirements Regarding In-transit Shipments and other FTR Provisions'' on October 31, 2024, in an attempt to do so.

In this rule, the Census Bureau proposed to revise the existing conditional data element for entry number to require the entry number when foreign origin goods are entered into the United States for consumption or warehousing and then stored in a warehouse or storage facility or admitted into a FTZ before being exported. It was determined that the entry number field would provide the Census Bureau with the necessary link to CBP entry data in order to derive the country of origin from existing data as opposed to collecting it through a new field. In addition to proposing an alternative means of collecting country of origin, the NPRM proposed to clarify its regulations governing in-transit shipments from foreign countries through the United States that are subsequently exported to a foreign destination and revise several regulatory sections, including definitions, filing requirements, responsibilities of parties to the export transaction, confidentiality protocols, penalty provisions, and voluntary self-disclosure processes to ensure greater clarity, accuracy, and consistency throughout the FTR.

Despite the proposed alternative to use the existing entry number field, the trade community further disagreed that entry number would not be a viable solution as there were burdens with this requirement as well. The concerns identified were related to cost and operational challenges, software system limitations, and the inability to identify a one-to-one relationship between the admission of goods to an FTZ and the entire shipment of goods exported. The comments indicated that the Census Bureau should add a country of origin data element as was originally proposed in 2021 in lieu of requiring the entry number field. The Census Bureau appreciates the trade community's concern that the proposed entry number requirement could potentially create reporting challenges and result in inaccurate or missed data. The Census Bureau also appreciates the trade community's reconsideration of reporting country of origin and supports the suggestions to collect the country of origin field instead of utilizing the entry number field.

Additionally, previous OMB Clearance Packages highlighted concerns about the continued inclusion of the State of Origin field in the AES. Members of the trade community recommended the State of Origin field be removed because it is duplicative information that is captured in the previously named Address of the USPPI section. This concern was also highlighted in the comments received from the NPRM issued October 31, 2024. Acknowledging the redundancy between the USPPI address and the state of origin fields, the Census Bureau addressed this in the NPRM by renaming Address of the USPPI to Address of Origin in both the FTR and the AES. The revised naming convention provides greater clarity by making the naming convention more intuitive, which will closer align with what was already required—the filer must report the address of origin based on the location where goods begin their journey to the port of export as opposed to the headquarters address. To enhance awareness of this requirement, the Census Bureau launched several outreach initiatives targeting the trade community who received AES compliance alert 26C, which were triggered when the State of Origin and formerly named Address of the USPPI did not match.

The changes outlined in this NPRM were subsequently implemented in the final rule issued on August 14, 2025, with the exception of the entry number provision as discussed previously. Instead, the Census Bureau clarified the current definition for entry number and confirmed its intent to collect country of origin data element. The Census Bureau will issue a separate rule to address the implementation of a country of origin data element at a later time. Additionally, the Census Bureau acknowledges the duplicative nature of the State of Origin data element and plans to revisit this issue in a future rule as well. Overall, these changes did not impact the reporting burden of the export trade community.

II. Method of Collection

Automated Export System

Except as noted in Title 15 CFR, Part 30, Section 30.2(a)(1)(iv), EEI is required for all export shipments of goods valued over $2,500 per Schedule B or Harmonized Tariff Schedule of the United States commodity classification number from the United States, including Foreign Trade Zones located therein, Puerto Rico, and the U.S. Virgin Islands to foreign countries; for exports between the United States and Puerto Rico; and for exports to the U.S. Virgin Islands from the United States or Puerto Rico. Additionally, an AES record is required for the export of rough diamonds, used self-propelled vehicles, exports requiring an export license from any government agency, exports controlled by the ITAR, or exports that meet certain mandatory filing requirements defined by the BIS under the Export Administration Regulations. The AES program is unique among Census Bureau statistical collections since it is not sent to respondents to solicit responses, as is the case with surveys. Filing EEI via the AES is a mandatory process under the statutory authority of Title 13 U.S.C., Chapter 9, Section 301. The statutory requirement is implemented by Title 15, CFR, Part 30, also referred to as the FTR. The export trade community can access the AES via a free internet-based system, called AES*Direct,* or they can use software that connects directly with the Automated Commercial Environment (ACE). In most instances, the United States Principal Party in Interest or authorized agent must file EEI via the AES and annotate the commercial loading documents with the proof of filing citation prior to the export of a shipment. For scenarios where the EEI filing is not required, the proper exemption or exclusion legend must be noted on the commercial loading documents per Section 30.7 of the FTR.

For exports to Canada, a Memorandum of Understanding (MOU) signed by CBP, Canada Border Services Agency, Statistics Canada, and the Census Bureau enables the United States to substitute Canadian import statistics for U.S. export statistics. Similarly, in accordance with the MOU, Canada substitutes U.S. import statistics for Canadian exports to the United States. This exchange of data eliminates the requirement for the export trade community to file the EEI with the U.S. Government for the majority of export shipments to Canada, thus resulting in the elimination of over 12 million EEI records filed in the AES annually. EEI must be filed through the AES for export shipments to Canada that require mandatory EEI filing under Title 15 CFR, Part 30, Section 30.2(a)(1)(iv). In addition, export shipments from the United States through Canada destined to a country other than Canada require EEI filing in the AES.

The AES enables the U.S. Government to significantly improve the quality, timeliness, and coverage of export statistics. Since July 1995, the Census Bureau and the CBP have utilized the AES to improve the reporting of export trade information, customer service,

increase compliance with and enforcement of export laws, and to provide paperless reports of export information. The AES also enables the U.S. Government to increase its ability to prevent the export of certain items by unauthorized parties to unauthorized destinations and end users through electronic filing.

In addition to the AES, CBP continues to develop the ability to receive advance export manifest data, which may improve the accuracy of transportation data elements in the EEI filing and reduce updates to shipment information. CBP has issued an NPRM for Rail Cargo and continues to work on air, truck, and ocean cargo. Operational guidance and implementation of each mode is still under development from CBP. The Census Bureau continues evaluating the collection of data from the electronic export rail and vessel manifest for filings received in the pilot program. The evaluation has proven that transportation data provided by the carrier is more accurate than transportation data estimated by the U.S. Principal Party in Interest and authorized agent. The Census Bureau's evaluation of the data quality from the electronic export rail manifest included the data elements: method of transportation, date of export, port of export, carrier identification and carrier name and foreign port of unlading.

Steel Mill Statistics

The Department of Commerce (DOC) has maintained authorization since 1999 to publish steel mill product import data prior to the standard monthly trade statistics publication. To effectively monitor steel imports, the International Trade Administration depends extensively on preliminary steel mill import statistics supplied by the Census Bureau. This early access enables industry stakeholders to detect emerging trends and potential trade pattern changes, facilitating timely responsive measures. Following the 2019 AES Program revisions, the Census Bureau no longer requires separate annual OMB approval for early release of preliminary steel mill import statistics, as this authorization is now incorporated within the current clearance.

The Foreign Trade Regulations (FTR), subpart F, establishes general requirements for submitting import entries to CBP through the ACE system under 19 CFR provisions, which serves as the data source for steel mill product import information.

III. Data

OMB Control Number: 0607–0152.

Form Number(s): Automated Export System.

Type of Review: Regular submission, Request for an Extension, without Change, of a Currently Approved Collection.

Affected Public: Exporters, Export Carriers, Forwarding and/or Authorized agents.

Estimated Number of Respondents: 278,207 respondents resulting in 16,768,118 annual responses.

Estimated Time per Response: 3 minutes per AES submission.

Estimated Total Annual Burden Hours: 838,406.

Estimated Total Annual Cost to Public: $ 22,335,136.

Respondent's Obligation: Mandatory.

Legal Authority: Title 13 United States Code, Chapter 9, Section 301.

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. 2025–17568 Filed 9–10–25; 8:45 am]

BILLING CODE 3510–07–P

DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

[B–42–2025]

Foreign-Trade Zone 147—Berks County, Pennsylvania; Application for Reorganization (Expansion of Service Area) Under Alternative Site Framework; Correction

SUMMARY: The **Federal Register** notice published on September 8, 2025, regarding the application submitted to the Foreign-Trade Zones (FTZ) Board by the FTZ Corp of Southern Pennsylvania, grantee of FTZ 147, to reorganize the zone to expand its service area is being corrected.

FOR FURTHER INFORMATION CONTACT: Juanita Chen at *juanita.chen@trade.gov;* telephone 202–482–1378.

SUPPLEMENTARY INFORMATION:

Correction

In the **Federal Register** of September 8, 2025, in FR Doc. 2025–17130, on page 43168, in the third column, the sentence ''Rebuttal comments in response to material submitted during the foregoing period may be submitted through September 23, 2025.'' is corrected to read as ''Rebuttal comments in response to material submitted during the foregoing period may be submitted through November 24, 2025.''

Dated: September 8, 2025.

Elizabeth Whiteman,

Executive Secretary.

[FR Doc. 2025–17465 Filed 9–10–25; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

[B–43–2025]

Foreign-Trade Zone 49; Application for Expansion of Subzone 49H; Firmenich, Inc.; Monmouth Junction, New Jersey

An application has been submitted to the Foreign-Trade Zones (FTZ) Board by the Port Authority of NY and NJ, grantee of FTZ 49, requesting an expansion of Subzone 49H, Site 3, on behalf of Firmenich, Inc. (Firmenich). The application was submitted pursuant to the provisions of the Foreign-Trade Zones Act, as amended (19 U.S.C. 81a–81u), and the regulations of the FTZ Board (15 CFR part 400). It was formally docketed on September 8, 2025.

The applicant is requesting authority to expand the subzone site by 0.78 acres, increasing the site to 2.27 acres total. No authorization for additional

production activity has been requested at this time.

In accordance with the FTZ Board's regulations, Juanita Chen of the FTZ Staff is designated examiner to review the application and make recommendations to the FTZ Board.

Public comment is invited from interested parties. Submissions shall be addressed to the FTZ Board's Executive Secretary and sent to: *ftz@trade.gov.* The closing period for their receipt is October 21, 2025. Rebuttal comments in response to material submitted during the foregoing period may be submitted through November 5, 2025.

A copy of the application will be available for public inspection in the ''Online FTZ Information Section'' section of the FTZ Board's website, which is accessible via *www.trade.gov/ftz.*

For further information, contact Juanita Chen at *juanita.chen@trade.gov.*

Dated: September 8, 2025.

Elizabeth Whiteman,

Executive Secretary.

[FR Doc. 2025–17468 Filed 9–10–25; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–423–812]

Certain Carbon and Alloy Steel Cut-To-Length Plate From Belgium: Preliminary Results and Rescission, in Part, of Antidumping Duty Administrative Review; 2023–2024

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

SUMMARY: The U.S. Department of Commerce (Commerce) preliminarily finds that certain carbon and alloy steel cut-to-length plate (CTL plate) from Belgium was sold at less than normal value (NV) during the period of review (POR) May 1, 2023, through April 30, 2024. Additionally, Commerce is rescinding this review in part, with respect to certain companies. We invite interested parties to comment on these preliminary results of review.

DATES: Applicable September 11, 2025.

FOR FURTHER INFORMATION CONTACT: Jerry Xiao, AD/CVD Operations, Office II, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–2273.

SUPPLEMENTARY INFORMATION:

Background

On May 25, 2017, Commerce published in the **Federal Register** the antidumping duty (AD) order on CTL plate from Belgium.[1] On May 2, 2024, Commerce published in the **Federal Register** a notice of opportunity to request an administrative review of the *Order* for the POR.[2] On July 5, 2024, based on timely requests for review in accordance with 19 CFR 351.221(c)(1)(i), we initiated an AD administrative review.[3] This review covers seven producers and/or exporters of the subject merchandise.

On July 22, 2024, Commerce tolled certain deadlines in this administrative proceeding by seven days.[4] On December 9, 2024, Commerce tolled the deadline for all administrative reviews by 90 days.[5] On April 16, 2025, Commerce extended the preliminary results of this review by 120 days, until September 5, 2025.[6] For a complete description of the events that followed the initiation of this review, *see* the Preliminary Decision Memorandum.[7]

For a full description of the methodology underlying our conclusions, *see* the Preliminary Decision Memorandum. A list of topics discussed in the Preliminary Decision Memorandum is included in the appendix 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 *http://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*

Scope of the Order

The product covered by the *Order* is CTL plate from Belgium. For a full description of the scope of the *Order, see* Preliminary Decision Memorandum.

Rescission of Administrative Review, in Part

Pursuant to 19 CFR 351.213(d)(3), it is Commerce's practice to rescind an administrative review of an AD order when there are no suspended entries of subject merchandise during the POR.[8] Normally, upon completion of an administrative review, the suspended entries are liquidated at the AD assessment rate calculated for the review period.[9] Therefore, for an administrative review to be conducted, there must be a suspended entry that Commerce can instruct CBP to liquidate at the AD assessment rate calculated for the review period.[10]

On July 5, 2024, we placed on the record U.S. Customs and Border Protection (CBP) data for entries of CTL plate from Belgium during the POR, showing no suspended entries during the POR for certain companies and invited interested parties to comment.[11] No interested party submitted comments regarding the CBP data. As there were no suspended entries of subject merchandise for the following companies: (1) Ancofer Stahlhandel GmbH.; (2) Eastman Chemical Technology BV; (3) NLMK Dansteel A.S.; (4) NV Hengelhoef Concrete Joints.; and (5) Steelforce Europe NV. On August 5, 2025, Commerce notified all interested parties of its intent to rescind the administrative review in part, with respect to these companies because there were no suspended entries of subject merchandise during the POR and invited interested parties to comment.[12] No interested party submitted comments in response to this notice. Accordingly, in the absence of suspended entries of subject

[1] *See Certain Carbon and Alloy Steel Cut-To-Length Plate from Austria, Belgium, France, the Federal Republic of Germany, Italy, Japan, the Republic of Korea, and Taiwan: Amended Final Affirmative Antidumping Determinations for France, the Federal Republic of Germany, the Republic of Korea, and Taiwan, and Antidumping Duty Orders,* 82 FR 24096 (May 25, 2017) (*Order*).

[2] *See Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity to Request Administrative Review and Join Annual Inquiry Service List,* 89 FR 35778 (May 2, 2024).

[3] *See Initiation of Antidumping and Countervailing Duty Administrative Reviews,* 89 FR 55567 (July 5, 2024) (*Initiation Notice*).

[4] *See* Memorandum, ''Tolling of Deadlines for Antidumping and Countervailing Duty Proceedings,'' dated July 22, 2024.

[5] *See* Memorandum, ''Tolling of Deadlines for Antidumping and Countervailing Duty Proceedings,'' dated December 9, 2024.

[6] *See* Memorandum, ''Extension of Deadline for Preliminary Results of Antidumping Duty Administrative Review,'' dated April 16, 2025.

[7] *See* Memorandum, ''Decision Memorandum for the Preliminary Results of the Administrative Review of the Antidumping Duty Order on Certain Carbon and Alloy Steel Cut-To-Length Plate from Belgium; 2022–2023,'' dated concurrently with, and hereby adopted by, this notice (Preliminary Decision Memorandum).

[8] *See, e.g., Dioctyl Terephthalate from the Republic of Korea: Rescission of Antidumping Administrative Review; 2021–2022,* 88 FR 24758 (April 24, 2023); *see also Certain Carbon and Alloy Steel Cut-to-Length Plate from the Federal Republic of Germany: Recission of Antidumping Administrative Review; 2020–2021,* 88 FR 4157 (January 24, 2023).

[9] *See* 19 CFR 351.212(b)(1).

[10] *See* 19 CFR 351.213(d)(3).

[11] *See* Memorandum, ''Release of U.S. Customs and Border Protection Entry Data,'' dated July 5, 2024.

[12] *See* Memorandum, ''Notice of Intent to Rescind Review, in Part,'' dated August 5, 2025.

merchandise during the POR for these companies for which this review was initiated, we are hereby rescinding this administrative review, in part, with respect to these five companies, in accordance with 19 CFR 351.213(d)(3).

Methodology

Commerce is conducting this review in accordance with sections 751(a)(1)(B) and (2) of the Tariff Act of 1930, as amended (the Act). Export price is calculated in accordance with section 772 of the Act. NV is calculated in accordance with section 773 of the Act.

Rate for Non-Individually Examined Companies

The Act and Commerce's regulations do not address the establishment of a rate to apply to companies not selected for individual examination when Commerce limits its examination in an administrative review pursuant to section 777A(c)(2) of the Act. Generally, Commerce looks to section 735(c)(5) of the Act, which provides instructions for calculating the all-others rate in a market economy investigation, for guidance when calculating the rate for companies which were not selected for individual examination in an administrative review.

Under section 735(c)(5)(A) of the Act, the all-others rate is normally an amount equal to the weighted average of the estimated weighted-average dumping margins established for exporters and producers individually investigated, excluding any rates that are zero, *de minimis* (*i.e.,* less than 0.5 percent), or determined entirely on the basis of facts available. Where the weighted-average dumping margin for each of the individually examined companies is zero, *de minimis,* or based entirely on facts available, section 735(c)(5)(B) of the Act provides that Commerce may use ''any reasonable method to establish the estimated all-others rate for exporters and producers not individually investigated, including averaging the estimated weighted-average dumping margins determined for the exporters and producers individually investigated.''

In this administrative review, we preliminarily calculated a weighted-average dumping margin for Industeel, that is not zero, *de minimis,* or based entirely on facts available. Accordingly, we are preliminarily assigning to the company under review that was not selected for individual examination a weighted-average dumping margin equal to the weighted average dumping margin calculated for Industeel.

Preliminary Results of Review

We preliminarily determine that the following weighted-average dumping margins exist for the period May 1, 2023, through April 30, 2024:

Producer or exporter	Weighted-average dumping margin (percent)
Industeel Belgium S.A	5.22
NLMK Belgium	5.22

Disclosure

Commerce intends to disclose its calculations and analysis performed to interested parties for these preliminary results within five days of any public announcement or, if there is no public announcement, within five days of the date of publication of this notice in accordance with 19 CFR 351.224(b).

Public Comment

Case briefs or other written comments may be submitted to the Assistant Secretary for Enforcement and Compliance. Pursuant to 19 CFR 351.309(c)(1)(ii), we have modified the deadline for interested parties to submit case briefs to Commerce to no later than 21 days after the date of the publication of this notice.[13] 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 briefs or rebuttal briefs in this proceeding must submit: (1) a table of contents listing each issue; and (2) a table of authorities.[15] All briefs must be filed electronically using ACCESS. An electronically filed document must be received successfully in its entirety in ACCESS by 5:00 p.m. Eastern Time on the established deadline. 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 briefs that should be limited to five pages total, including footnotes. In this review, 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 public executive summary of each issue to no more than 450 words, not including citations. We intend to use the public executive summaries as the basis of the comment summaries included in the issues and decision memorandum that will accompany the final results in this administrative review. We request that interested parties include footnotes for relevant citations in the public 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 must submit a written request to the Assistant Secretary for Enforcement and Compliance, U.S. Department of Commerce, filed electronically via ACCESS within 30 days after the date of publication of this notice.[18] Hearing requests should contain: (1) the party's name, address, and telephone number; (2) the number of participants; and (3) a list of issues to be discussed. Issues raised in the hearing will be limited to issues raised in the briefs. If a request for a hearing is made, Commerce intends to hold the hearing at a date and time to be determined.[19] Parties should confirm by telephone the date and time of the hearing two days before the scheduled date. An electronically filed document must be received successfully in its entirety by ACCESS by 5:00 p.m. Eastern Time on the established deadline.

Assessment Rates

Pursuant to section 751(a)(2)(A) of the Act, upon completion of the final results of this administrative review, Commerce shall determine, and CBP shall assess, antidumping duties on all appropriate entries of subject merchandise covered by this review.[20] If the weighted-average dumping margin for Industeel is not zero or *de minimis* (*i.e.,* less than 0.5 percent) in the final results of this review, and because Industeel reported entered values for all of its sales, Commerce intends to calculate importer-specific *ad valorem* assessment rates based on the ratio of the total amount of dumping calculated for each importer's examined sales to the total entered value of those sales, in accordance with 19 CFR 351.212(b)(1). We intend to instruct CBP to assess antidumping duties on all appropriate

[13] *See* 19 CFR 351.309.

[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 Procedures*).

[15] *See* 19 CFR 351.309(c)(2) and (d)(2).

[16] We use the term ''issue'' here to describe an argument Commerce would normally address in a comment of the Issues and Decision Memorandum.

[17] *See Administrative Protective Order, Service, and Other Procedures in Antidumping and Countervailing Duty Proceedings,* 88 FR 67069, 67077 (September 29, 2023).

[18] *See* 19 CFR 351.310(c).

[19] *See* 19 CFR 351.310(d).

[20] *See* 19 CFR 351.212(b)(1).

entries covered by this review when the importer-specific assessment rate calculated in the final results of this review is above *de minimis* (*i.e.,* 0.50 percent). If Industeel's overall weighted-average dumping margin is zero or *de minimis* or where an importer-specific *ad valorem* assessment rate is zero or *de minimis* in the final results of review, we intend to instruct CBP to liquidate the appropriate entries without regard to antidumping duties.[21]

For entries of subject merchandise during the POR produced by Industeel for which it did not know that the merchandise was destined for the United States, we intend to instruct CBP to liquidate unreviewed entries at the all-others rate established in the original less-than-fair-value (LTFV) investigation (*i.e.,* 5.40 percent) [22] if there is no rate for the intermediate company(ies) involved in the transaction.[23]

For NLMK Belgium, we will assign an assessment rate based on the review-specific rate, calculated as noted in the ''Preliminary Results of Review'' section, above. The final results of this review shall be the basis for the assessment of antidumping duties on entries of merchandise covered by the final results of this review and for future deposits of estimated duties, where applicable.[24]

Commerce intends to issue assessment instructions to CBP no earlier than 35 days after the date of publication of the final results of this review in the **Federal Register**. If a timely summons is filed at the U.S. Court of International Trade, the assessment instructions will direct CBP not to liquidate relevant entries until the time for parties to file a request for a statutory injunction has expired (*i.e.,* within 90 days of publication).

Cash Deposit Requirements

The following deposit requirements will be effective upon publication in the **Federal Register** of the notice of final results of this administrative review for all shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the date of publication, as provided by section 751(a)(2)(C) of the Act: (1) the cash deposit rate for Industeel will be equal to the weighted-average dumping margin established in the final results of this review, except if the rate is less than 0.50 percent and, therefore, *de minimis* within the meaning of 19 CFR 351.106(c)(1), in which case the cash deposit rate will be zero; (2) for merchandise exported by a company not covered in this review but covered in a prior segment of the proceeding, the cash deposit rate will continue to be the company-specific cash deposit rate published in the completed segment for the most recent period; (3) if the exporter is not a firm covered in this review, or a previous segment, but the producer is, then the cash deposit rate will be the rate established in the completed segment for the most recent period for the producer of the merchandise; and (4) the cash deposit rate for all other producers or exporters will continue to be 5.40 percent, the all-others rate established in the less-than-fair-value investigation.[25] These deposit requirements, when imposed, shall remain in effect until further notice.

Final Results of Review

Unless the deadline is otherwise extended, Commerce intends to issue the final results of this administrative review, including the results of its analysis of issues raised by interested parties in the written comments, within 120 days of publication of these preliminary results in the **Federal Register**.[26]

Notification to Importers

This notice serves as a preliminary reminder to importers of their responsibility under 19 CFR 351.402(f)(2) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this POR. Failure to comply with this requirement could result in Commerce's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

Notification to Interested Parties

We are issuing and publishing these preliminary results in accordance with sections 751(a)(1) and 777(i)(1) of the Act, and 19 CFR 351.213 and 19 CFR 351.221(b)(4).

Dated: September 5, 2025.

Christopher Abbott,

Deputy Assistant Secretary for Policy and Negotiations, performing the non-exclusive functions and duties of the Assistant Secretary for Enforcement and Compliance.

Appendix

List of Topics Discussed in the Preliminary Decision Memorandum

I. Summary
II. Background
III. Scope of the *Order*
IV. Discussion of the Methodology
V. Currency Conversion
VI. Recommendation

[FR Doc. 2025–17547 Filed 9–10–25; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[A–580–887]

Carbon and Alloy Steel Cut-to-Length Plate From the Republic of Korea: Preliminary Results of Antidumping Duty Administrative Review; 2023–2024

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

SUMMARY: The U.S. Department of Commerce (Commerce) determines that POSCO, POSCO International Corporation, POSCO MS, Taechang Steel Co., Ltd., and Winsteel Co., Ltd., (collectively, the POSCO single entity) did not make sales of cut to length plate (CTL plate) from the Republic of Korea (Korea) in the United States below normal value (NV) during the period of review (POR). The POR is May 1, 2023, through April 30, 2024. Interested parties are invited to comment on these preliminary results.

DATES: Applicable September 11, 2025.

FOR FURTHER INFORMATION CONTACT: Jaron Moore, AD/CVD Operations, Office VIII, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–3640.

SUPPLEMENTARY INFORMATION:

Background

On May 25, 2017, Commerce published in the **Federal Register** the antidumping duty (AD) order on CTL plate from Korea.[1] On May 2, 2024,

[21] *See* 19 CFR 351.106(c)(2); *see also Antidumping Proceedings: Calculation of the Weighted-Average Dumping Margin and Assessment Rate in Certain Antidumping Proceedings; Final Modification,* 77 FR 8101, 8103 (February 14, 2012).

[22] *See Order,* 82 FR 24096.

[23] For a full discussion of this practice, *see Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties,* 68 FR 23954 (May 6, 2003).

[24] *See* section 751(a)(2)(C) of the Act.

[25] *See Certain Carbon and Alloy Steel Cut-To-Length Plate from Austria, Belgium, France, the Federal Republic of Germany, Italy, Japan, the Republic of Korea, and Taiwan: Amended Final Affirmative Antidumping Determinations for France, the Federal Republic of Germany, the Republic of Korea and Taiwan, and Antidumping Duty Orders,* 82 FR 24096, 24098 (May 25, 2017).

[26] *See* section 751(a)(3)(A) of the Act; *see also* 19 CFR 351.213(h)(1).

[1] *See Certain Carbon and Alloy Steel Cut-to-Length Plate from Austria, Belgium, France, the Federal Republic of Germany, Italy, Japan, the Republic of Korea, and Taiwan: Amended Final*

Commerce published a notice of opportunity to request an administrative review of the *Order*.[2] On July 5, 2024, based on timely requests for review, in accordance with 19 CFR 351.221(c)(1)(i), we initiated an administrative review of the *Order* covering the POSCO single entity.[3] On July 22, 2024, and December 9, 2024, Commerce tolled certain deadlines in this administrative review by seven and 90 days, respectively.[4] On April 17, 2025, we extended the preliminary results of this review to no later than September 5, 2025.[5]

For a complete description of the events that followed the initiation of this review, *see* the Preliminary Decision Memorandum.[6] A list of the topics discussed in the Preliminary Decision Memorandum is attached as an appendix 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 *http://access.trade.gov.* In addition, a complete version of the Preliminary Decision Memorandum can be accessed at *https://access.trade.gov/public/FRNoticesListLayout.aspx.*

Scope of the Order

The merchandise subject to the *Order* is CTL plate. For a complete description of the merchandise subject to the *Order, see* the Preliminary Decision Memorandum.

Methodology

Commerce is conducting this review in accordance with section 751(a)(1)(B) and (2) of the Tariff Act of 1930, as amended (the Act). Commerce has calculated constructed export prices in accordance with section 772(b) of the Act. NV is calculated in accordance with section 773 of the Act. For a full description of the methodology underlying our conclusions, *see* the Preliminary Decision Memorandum.

Preliminary Results of the Review

Commerce preliminarily determines that the following estimated weighted-average dumping margin exists for the period May 1, 2023, through April 30, 2024:

Exporter/producer	Weighted average dumping margin (percent)
POSCO Single Entity[7]	0.00

Disclosure

Commerce intends to disclose its calculations and analysis performed to interested parties for these preliminary results within five days of any public announcement or, if there is no public announcement, within five days of the date of publication in the **Federal Register** of this notice in accordance with 19 CFR 351.224(b).

Public Comment

Case briefs or other written comments may be submitted to the Assistant Secretary for Enforcement and Compliance. Pursuant to 19 CFR 351.309(c)(1)(ii), we have modified the deadline for interested parties to submit case briefs to Commerce to no later than 21 days after the date of the publication of this notice.[8] 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.[9] Interested parties that submit case briefs or rebuttal briefs in this proceeding must submit: (1) a table of contents listing each issue; and (2) a table of authorities.[10]

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 review, we instead request that interested parties provide at the beginning of their briefs a public, executive summary for each issue raised in their briefs.[11] 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 results in this administrative review. We request that interested parties include footnotes for relevant citations in the public 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).[12]

Pursuant to 19 CFR 351.310(c), interested parties who wish to request a hearing, must submit a written request to the Assistant Secretary for Enforcement and Compliance, filed electronically via ACCESS. Requests should contain: (1) the party's name, address, and telephone number; (2) the number of participants; and (3) a list of issues to be discussed. Issues raised in the hearing will be limited to those raised in the respective case briefs. An

Affirmative Antidumping Determinations for France, the Federal Republic of Germany, the Republic of Korea and Taiwan, and Antidumping Duty Orders, 82 FR 24096 (May 25, 2017) (*Order*).

[2] *See Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity to Request Administrative Review,* 89 FR 35778 (May 2, 2024).

[3] *See Initiation of Antidumping and Countervailing Duty Administration Reviews,* 89 FR 55567 (July 5, 2024) (*Initiation Notice*).

[4] *See* Memorandum, ''Tolling of Deadlines for Antidumping and Countervailing Duty Proceedings,'' dated July 22, 2024, and Memorandum, ''Tolling of Deadlines for Antidumping and Countervailing Duty Proceedings,'' dated December 9, 2024.

[5] *See* Memorandum, ''Extension of Deadline for the Preliminary Results of the 2023–2024 Antidumping Duty Administrative Review,'' dated April 17, 2025.

[6] *See* Memorandum, ''Decision Memorandum for Preliminary Results of the Antidumping Duty Administrative Review of Certain Carbon and Alloy Steel Cut-To-Length Plate from the Republic of Korea; 2023–2024,'' dated concurrently with, and hereby adopted by, this notice (Preliminary Decision Memorandum).

[7] In a prior segment of this proceeding, Commerce found that POSCO, POSCO International Corporation, POSCO Mobility Solution ((POSCO MS), formerly known as POSCO SPS), and certain distributors and service centers (Taechang Steel Co., Ltd. and Winsteel Co., Ltd.) are affiliated pursuant to section 771(33)(E) of the Act, and further that these companies should be treated as a single entity (collectively, the POSCO single entity) pursuant to 19 CFR 351.401(f). *See Carbon and Alloy Steel Cut-To-Length Plate from the Republic of Korea: Final Results of Antidumping Duty Administrative review; 2019–2020,* 87 FR 6483 (February 4, 2022). No changes to the relationship among these entities was reported for this POR; therefore, no change to our affiliation/collapsing finding is warranted. Additionally, in August 2022, Commerce published the final results of a changed circumstances review (CCR), finding that POSCO, following a corporate organizational change in March 2022 (POSCO*), is the successor-in-interest to the pre-reorganization POSCO entity (POSCO(I)). Furthermore, POSCO* is entitled to POSCO(I)'s AD cash deposit rates with respect to entries of subject merchandise in this proceeding. Further, this CCR recognized that POSCO SPS is now recognized as POSCO MS effective January 1, 2022. For more detail, *see Non-Oriented Electrical Steel from the Republic of Korea, Certain Corrosion-Resistant Steel Products from the Republic of Korea, Certain Cold-Rolled Steel Flat Products from the Republic of Korea, Certain Hot-Rolled Steel Flat Products from the Republic of Korea, Certain Carbon and Alloy Steel Cut-to-Length Plate from the Republic of Korea, and Carbon and Alloy Steel Wire Rod from the Republic of Korea: Final Results of Antidumping Duty Changed Circumstances Review,* 87 FR 52910 (August 30, 2022).

[8] *See* 19 CFR 351.309.

[9] *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 Procedures*).

[10] *See* 19 CFR 351.309(c)(2) and (d)(2).

[11] We use the term ''issue'' here to describe an argument that Commerce would normally address in a comment of the Issues and Decision Memorandum.

[12] *See APO and Service Procedures.*

electronically filed hearing request must be received successfully in its entirety by Commerce's electronic records system, ACCESS, by 5 p.m. Eastern Time within 30 days after the date of publication of this notice.

Assessment Rate

Pursuant to section 751(a)(2)(A) of the Act and 19 CFR 351.212(b)(1), upon completion of the final results of this administrative review, Commerce shall determine, and U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries covered by this review. The final results of this review shall be the basis for the assessment of antidumping duties on entries of merchandise covered by this review and for future deposits of estimated duties, where applicable.[13]

Pursuant to 19 CFR 351.212(b)(1), if the POSCO single entity's weighted-average dumping margin is not zero or *de minimis* (*i.e.,* less than 0.5 percent) in the final results of this review, we intend to calculate importer-specific *ad valorem* antidumping duty assessment rates based on the ratio of the total amount of antidumping duties calculated for the examined sales to the total entered value of those same sales. If the POSCO single entity's weighted-average dumping margin in the final results is zero or *de minimis* within the meaning of 19 CFR 351.106(c)(1), or an importer-specific rate is zero or *de minimis* within the meaning of 19 CFR 351.106(c)(2), we intend to instruct CBP to liquidate the appropriate entries without regard to antidumping duties.

Commerce's ''automatic assessment'' practice will apply to entries of subject merchandise during the POR produced by the POSCO single entity for which it did not know that the merchandise it sold to an intermediary (*e.g.,* a reseller, trading company, or exporter) was destined for the United States. In such instances, we will instruct CBP to liquidate those entries at the all-others rate established in the original less-than-fair value (LTFV) investigation if there is no rate for the intermediate company involved in the transaction.[14]

Commerce intends to issue assessment instructions to CBP no earlier than 35 days after the date of publication of the final results of this review in the **Federal Register**. If a timely summons is filed at the U.S. Court of International Trade, the assessment instructions will direct CBP not to liquidate relevant entries until the time for parties to file a request for a statutory injunction has expired (*i.e.,* within 90 days of publication).

Cash Deposit Requirements

The following deposit requirements will be effective upon publication of the notice of final results of administrative review for all shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the publication date, as provided by section 751(a)(2)(C) of the Act: (1) the cash deposit rate for the POSCO single entity will be equal to the weighted-average dumping margin established in the final results of this review, except if the rate is *de minimis* within the meaning of 19 CFR 351.106(c)(1) (*i.e.,* less than 0.50 percent), in which case the cash deposit rate will be zero; (2) for merchandise exported by a company not covered in this review but covered in a prior completed segment of the proceeding, the cash deposit rate will continue to be the company-specific rate published for the most recently-completed segment; (3) if the exporter is not a firm covered in this review, a prior review, or the less-than-fair-value investigation, but the producer is, the cash deposit rate will be the rate established for the most recently-completed segment for the producer of the merchandise; and (4) the cash deposit rate for all other producers and exporters will continue to be 7.10 percent, the all-others rate established in the LTFV investigation.[15] These cash deposit requirements, when imposed, shall remain in effect until further notice.

Final Results of Review

Unless the deadline is extended pursuant to section 751(a)(3)(A) of the Act and 19 CFR 351.213(h)(2), Commerce will issue the final results of this administrative review, including the results of our analysis of the issues raised by the parties in their case briefs, not later than 120 days after the date of publication of this notice, pursuant to section 751(a)(3)(A) of the Act.

Notification to Importers

This notice also serves as a preliminary reminder to importers of their responsibility under 19 CFR 351.402(f)(2) to file a certificate regarding the reimbursement of antidumping and/or countervailing duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in the Secretary's presumption that reimbursement of antidumping and/or countervailing duties occurred and the subsequent assessment of double antidumping duties, and/or an increase in the amount of the antidumping duties by the amount of the countervailing duties.

Notification to Interested Parties

We are issuing and publishing these results in accordance with sections 751(a)(1) and 777(i)(1) of the Act, and 19 CFR 351.221(b)(4).

Dated: September 5, 2025.

Christopher Abbott,

Deputy Assistant Secretary for Policy and Negotiations, performing the non-exclusive functions and duties of the Assistant Secretary for Enforcement and Compliance.

Appendix

List of Topics Discussed in the Preliminary Decision Memorandum

I. Summary
II. Background
III. Scope of the *Order*
IV. Discussion of the Methodology
V. Currency Conversion
VI. Recommendation

[FR Doc. 2025–17460 Filed 9–10–25; 8:45 am]

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[13] *See* section 751(a)(2)(C) of the Act.

[14] For a full discussion of this practice, *see Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties,* 68 FR 23954 (May 6, 2003).

[15] *See Order.*

DEPARTMENT OF COMMERCE

International Trade Administration

[A–570–937]

Citric Acid and Certain Citrate Salts From the People's Republic of China: Preliminary Results of the Antidumping Duty Administrative Review; 2023–2024

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

SUMMARY: The U.S. Department of Commerce (Commerce) preliminarily determines that RZBC Group Co., Ltd., RZBC Co., Ltd., RZBC Import & Export Co., Ltd., and RZBC (Juxian) Co., Ltd. (collectively, RZBC) did not make sales of citric acid and certain citrate salts (citric acid) from the People's Republic of China (China) at less than normal value (NV) during the period of review (POR) May 1, 2023, through April 30, 2024. Interested parties are invited to comment on these preliminary results of review.

DATES: Applicable September 11, 2025.

FOR FURTHER INFORMATION CONTACT: Luke Caruso, AD/CVD Operations, Office IV, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401

Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–2081.

SUPPLEMENTARY INFORMATION:

Background

On May 29, 2009, Commerce published in the **Federal Register** the antidumping duty order on citric acid from China.[1] On May 2, 2024, Commerce published in the **Federal Register** a notice of opportunity to request an administrative review of the *Order*.[2] On July 5, 2024, based on a timely request for an administrative review, Commerce initiated an administrative review of the *Order*.[3] The administrative review covers a single mandatory respondent, RZBC.[4]

On December 9, 2024, Commerce tolled certain deadlines in this administrative review by ninety days.[5] Pursuant to section 751(a)(3)(A) of the Tariff Act of 1930, as amended (the Act), on April 24, 2025, Commerce extended the deadline for these preliminary results until September 5, 2025.[6] For a complete description of the events that occurred since the initiation of this review, *see* the Preliminary Decision Memorandum.[7] 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.* A list of topics discussed in the Preliminary Decision Memorandum is included in an appendix to this notice. In addition, a complete version of the Preliminary Decision Memorandum can be found at *https://access.trade.gov/public/FRNoticesListLayout.aspx.*

Scope of the Order

The product covered by this *Order* is citric acid from China. A full description of the scope of the *Order* is contained in the Preliminary Decision Memorandum.[8]

China-Wide Entity

Commerce's policy regarding the conditional review of the China-wide entity applies to this administrative review.[9] Under this policy, the China-wide entity will not be under review unless a party specifically requests, or Commerce self-initiates, a review of the entity. Because no party requested a review of the China-wide entity in this review, the entity is not under review, and the entity's assessment rate (*i.e.,* 156.87 percent) is not subject to change.[10]

Methodology

Commerce is conducting this review in accordance with section 751(a) of the Act. Export price has been calculated in accordance with section 772(a) of the Act, and NV was calculated in accordance with section 773 of the Act. For a full description of the methodology underlying our conclusions, *see* the Preliminary Decision Memorandum.

Preliminary Results of the Administrative Review

Commerce preliminarily determines that the following estimated weighted-average dumping margin exists for the administrative review covering the period May 1, 2023, through April 30, 2024:

Exporter	Weighted-average dumping margin (percent)
RZBC Group Co., Ltd., RZBC Co., Ltd., RZBC Import & Export Co., Ltd., and RZBC (Juxian) Co., Ltd	0.00

Disclosure

Commerce intends to disclose the calculations and analysis that it performed in these preliminary results of review to parties to the proceeding within five days of any public announcement of these preliminary results or, if there is no public announcement, within five days of the date of publication of this notice in the **Federal Register** in accordance with 19 CFR 351.224(b).

Public Comment

Case briefs or other written comments may be submitted to the Assistant Secretary for Enforcement and Compliance. Pursuant to 19 CFR 351.309(c)(1)(ii), we have modified the deadline for interested parties to submit case briefs to Commerce to not later than 21 days after the date of the publication of this notice.[11] Rebuttal briefs, limited to issues raised in the case briefs, may be filed no later than five days after the date for filing case briefs.[12] Interested parties who submit case briefs or rebuttal briefs in this proceeding must submit: (1) a table of contents listing each issue addressed; and (2) a table of authorities.[13]

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 briefs that should be limited to five pages total, including footnotes. In this review, we instead request that interested parties provide, at the beginning of their briefs, a public executive summary for each issue raised in their briefs.[14] 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 we will issue for the final results in this administrative review. We request that

[1] *See Citric Acid and Certain Citrate Salts from Canada and the People's Republic of China: Antidumping Duty Orders,* 74 FR 25703 (May 29, 2009) (*Order*).

[2] *See Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity to Request Administrative Review and Join Annual Inquiry Service List,* 89 FR 35778 (May 2, 2024).

[3] *See Initiation of Antidumping and Countervailing Duty Administrative Reviews,* 89 FR 55567 (July 5, 2024).

[4] *See* Memorandum, ''Respondent Selection,'' dated September 6, 2024.

[5] *See* Memorandum, ''Tolling of Deadlines for Antidumping and Countervailing Duty Proceedings'', dated December 9, 2024.

[6] *See* Memorandum, ''Extension of Deadline for Preliminary Results of Antidumping Duty Administrative Review,'' dated January 4, 2024.

[7] *See* Memorandum, ''Decision Memorandum for Preliminary Results of the Antidumping Duty Administrative Review of Citric Acid and Certain Citrate Salts from the People's Republic of China; 2023–2024,'' dated concurrently with, and hereby adopted by, this notice (Preliminary Decision Memorandum).

[8] *Id.*

[9] *See Antidumping Proceedings: Announcement of Change in Department Practice for Respondent Selection in Antidumping Duty Proceedings and Conditional Review of the Nonmarket Economy Entity in NME Antidumping Duty Proceedings,* 78 FR 65963 (November 4, 2013).

[10] *See Order.*

[11] *See* 19 CFR 351.309.

[12] *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*).

[13] *See* 19 351.309(c)(2) and (d)(2)

[14] We use the term ''issue'' here to describe an argument that Commerce would normally address in a comment of the Issues and Decision Memorandum.

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).[15]

Pursuant to 19 CFR 351.310(c), interested parties who wish to request a hearing must submit a written hearing request to the Assistant Secretary for Enforcement and Compliance, filed electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). Requests should contain: (1) the requesting party's name, address, and telephone number; (2) the number of individuals from the requesting party that will attend the hearing and whether any of those individuals is a foreign national; and (3) a list of the issues the party intends to discuss at the hearing. Issues raised in the hearing by a party will be limited to those raised in the party's case and rebuttal briefs. An electronically filed hearing request must be received successfully in its entirety by Commerce's electronic records system, ACCESS, by 5 p.m. Eastern Time within 30 days after the date of publication of this notice.

Final Results of Review

Unless extended, Commerce intends to issue the final results of this review, including the results of its analysis of the issues raised in any written briefs, no later than 120 days after the date of publication of this notice, pursuant to section 751(a)(3)(A) of the Act and 19 CFR 351.213(h).

Assessment Rates

Upon issuing the final results, Commerce will determine, and U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries covered by this review.[16] For each individually examined respondent in this review whose weighted-average dumping margin in the final results of review is not zero or *de minimis* (*i.e.,* less than 0.5 percent), Commerce intends to calculate importer/customer-specific assessment rates.[17] Where the respondent reported reliable entered values, Commerce intends to calculate importer/customer-specific *ad valorem* assessment rates by aggregating the amount of dumping calculated for all U.S. sales to the importer/customer and dividing this amount by the total entered value of the merchandise sold to the importer/customer.[18] Where the respondent did not report entered values, Commerce will calculate importer/customer-specific assessment rates by dividing the amount of dumping for reviewed sales to the importer/customer by the total quantity of those sales. Commerce will calculate an estimated *ad valorem* importer/customer-specific assessment rate to determine whether the per-unit assessment rate is *de minimis;* however, Commerce will use the per-unit assessment rate where entered values were not reported.[19] Where an importer/customer-specific *ad valorem* assessment rate is not zero or *de minimis,* Commerce will instruct CBP to collect the appropriate duties at the time of liquidation. Where either the respondent's weighted average dumping margin is zero or *de minimis,* or an importer/customer-specific *ad valorem* assessment rate is zero or *de minimis,* Commerce will instruct CBP to liquidate appropriate entries without regard to antidumping duties.[20]

Commerce intends to issue assessment instructions to CBP no earlier than 35 days after the date of publication of the final results of this review in the **Federal Register**. If a timely summons is filed at the U.S. Court of International Trade, the assessment instructions will direct CBP not to liquidate relevant entries until the time for parties to file a request for a statutory injunction has expired (*i.e.,* within 90 days of publication). In accordance with section 751(a)(2)(C) of the Act, the final results of this review shall be the basis for the assessment of antidumping duties on entries of merchandise covered by the final results of this review and for future deposits of estimated antidumping duties, where applicable.

Cash Deposit Requirements

The following cash deposit requirements will be effective upon publication of the final results of this review for shipments of the subject merchandise from China entered, or withdrawn from warehouse, for consumption on or after the publication date, as provided by section 751(a)(2)(C) of the Act: (1) for the subject merchandise exported by the company listed above that has a separate rate, the cash deposit rate will be equal to the weighted-average dumping margin established in the final results of this administrative review (except, if the rate is zero or *de minimis,* then zero cash deposit will be required); (2) for previously investigated or reviewed Chinese and non-Chinese exporters not listed above that received a separate rate in a prior segment of this proceeding, the cash deposit rate will continue to be the existing exporter-specific rate; (3) for all Chinese exporters of subject merchandise that have not been found to be entitled to a separate rate, the cash deposit rate will be that for the China-wide entity; and (4) for all non-Chinese exporters of subject merchandise which have not received their own rate, the cash deposit rate will be the rate applicable to the Chinese exporter that supplied that non-Chinese exporter. These deposit requirements, when imposed, shall remain in effect until further notice.

Notification to Importers

This notice serves as a preliminary reminder to importers of their responsibility under 19 CFR 351.402(f)(2) to file a certificate regarding the reimbursement of antidumping and/or countervailing duties prior to liquidation of the relevant entries during this POR. Failure to comply with this requirement could result in Commerce's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

Notification to Interested Parties

Commerce is issuing and publishing the preliminary results of this review in accordance with sections 751(a)(1)(B), 751(a)(3), and 777(i) of the Act, and 19 CFR 351.213(h) and 351.221(b)(4).

Dated: September 5, 2025.

Christopher Abbott,

Deputy Assistant Secretary for Policy and Negotiations, performing the non-exclusive functions and dutiesof the Assistant Secretary for Enforcement and Compliance.

Appendix

List of Topics Discussed in the Preliminary Decision Memorandum

I. Summary
II. Background
III. Scope of the *Order*
IV. Discussion of the Methodology
V. Adjustment Under Section 777A(f) of the Act
VI. Currency Conversion
VII. Recommendation

[FR Doc. 2025–17550 Filed 9–10–25; 8:45 am]

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[15] *See APO and Service Final Rule.*

[16] *See* 19 CFR 351.212(b)(1).

[17] *See Antidumping Proceedings: Calculation of the Weighted Average Dumping Margin and Assessment Rate in Certain Antidumping Proceedings: Final Modification,* 77 FR 8101 (February 14, 2012) (*Final Modification*).

[18] *See* 19 CFR 351.212(b)(1).

[19] *Id.*

[20] *See Final Modification,* 77 FR at 8103.

DEPARTMENT OF COMMERCE

International Trade Administration

[A–489–501]

Circular Welded Carbon Steel Standard Pipe and Tube Products From the Republic of Türkiye: Preliminary Results of Antidumping Duty Administrative Review; 2023–2024

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

SUMMARY: The U.S. Department of Commerce (Commerce) preliminarily determines that the sole mandatory respondent in this administrative review, Borusan Birleşik Boru Fabrikalari Sanayi ve Ticaret A.Ş. (Borusan Boru) and its affiliated entity, Borusan Istikbal Ticaret T.A.S (Istikbal) (collectively, Borusan), a producer and exporter subject to this administrative review, made sales of circular welded carbon steel standard pipe and tube products (CWP) from the Republic of Türkiye (Türkiye) at less than normal value (NV) during the period of review (POR) May 1, 2023, through April 30, 2024. Interested parties are invited to comment on these preliminary results.

DATES: Applicable September 11, 2025.

FOR FURTHER INFORMATION CONTACT: Paul Kebker, AD/CVD Operations, Office IV, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–2254.

SUPPLEMENTARY INFORMATION:

Background

On May 15, 1986, Commerce published in the **Federal Register** the antidumping duty order on CWP from Türkiye.[1] On May 2, 2024, Commerce published in the **Federal Register** a notice of opportunity to request an administrative review of the *Order*.[2] On July 5, 2024, based on timely requests for an administrative review, Commerce initiated this administrative review of the *Order* covering one company, Borusan Boru.[3]

On July 22, 2024, Commerce tolled certain deadlines in this administrative proceeding by seven days.[4] On December 9, 2024, Commerce tolled certain deadlines in this administrative proceeding by an additional 90 days.[5] On April 11, 2025, Commerce extended the preliminary results of this review by 120 days, until September 5, 2025.[6] For a complete description of the events that followed the initiation of this review, *see* the Preliminary Decision Memorandum.[7]

A list of the topics discussed in the Preliminary Decision Memorandum is attached as the appendix to this notice. The Preliminary Decision Memorandum is a public document and is made available to the public 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 is available at *https://access.trade.gov/public/FRNoticesListLayout.aspx*.

Scope of the Order

The products covered by this *Order* are CWP from Türkiye. For a full description of the scope of the *Order, see* the Preliminary Decision Memorandum.

Methodology

Commerce is conducting this review in accordance with section 751 of the Tariff Act of 1930, as amended (the Act). Export price and constructed export price are calculated in accordance with section 772 of the Act. NV is calculated in accordance with section 773 of the Act. For a full description of the methodology underlying these preliminary results, *see* the Preliminary Decision Memorandum.

Preliminary Results of Review

We preliminarily determine that the following weighted-average dumping margin exists for the period May 1, 2023, through April 30, 2024:

Exporter or producer	Estimated weighted-average dumping margin (percent)
Borusan Mannesmann Boru Sanayi ve Ticaret A.S., Birlesik Boru Fabrikalari Sanayi ve Ticaret A.S., Borusan Istikbal Ticaret T.A.S[8]	9.31

Disclosure

Commerce intends to disclose its calculations and analysis performed to interested parties under administrative protective order for these preliminary results within five days of any public announcement or, if there is no public announcement, within five days of the date of publication of this notice in accordance with 19 CFR 351.224(b).

Public Comment

Case briefs or other written comments may be submitted to the Assistant Secretary for Enforcement and Compliance. Pursuant to 19 CFR 351.309(c)(1)(ii), we have modified the

[1] *See Antidumping Duty Order; Welded Carbon Steel Standard Pipe and Tube Products from Turkey,* 51 FR 17784 (May 15, 1986) (*Order*).

[2] *See Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity to Request Administrative Review and Join Annual Inquiry Service List,* 89 FR 35778 (May 2, 2024).

[3] *See Initiation of Antidumping and Countervailing Duty Administrative Reviews,* 89 FR 55567 (July 5, 2024) (*Initiation Notice*).

[4] *See* Memorandum, ''Tolling of Deadlines for Antidumping and Countervailing Duty Proceedings,'' dated July 22, 2024.

[5] *See* Memorandum, ''Tolling of Deadlines for Antidumping and Countervailing Duty Proceedings,'' dated December 9, 2024.

[6] *See* Memorandum, ''Extension of Deadline for Preliminary Results of Antidumping Duty Administrative Review,'' dated April 11, 2025.

[7] *See* Memorandum, ''Decision Memorandum for Preliminary Results of the Administrative Review of the Antidumping Duty Order on Circular Welded Carbon Steel Standard Pipe and Tube Products from the Republic of Türkiye; 2023–2024,'' dated concurrently with, and hereby adopted by, this notice (Preliminary Decision Memorandum).

[8] In prior segments of this proceeding, we treated Borusan Birlesik Boru Fabrikalari ve Ticaret A.S. and Borusan Istikbal Ticaret T.A.S. as a single entity. *See, e.g., Welded Carbon Steel Standard Pipe and Tube Products from Turkey: Final Results of Antidumping Duty Administrative Review and Final Determination of No Shipments; 2013–2014,* 80 FR 76674 (December 10, 2015). We determine that there is no evidence on the record of this review for altering our treatment of Borusan Birlesik Boru Fabrikalari Sanayi ve Ticaret A.S. and Borusan Istikbal Ticaret T.A.S. as a single entity. Further, Commerce conducted a changed circumstances review and determined that Borusan Birlesik Boru Fabrikalari Sanayi ve Ticaret A.S. is the successor-in-interest to Borusan Mannesmann Boru Sanayi ve Ticaret A.S. in the context of the AD order on CWP from Türkiye. *See Circular Welded Carbon Steel Standard Pipe and Tube Products from the Republic of Türkiye; Welded Line Pipe from the Republic of Türkiye; Certain Oil Tubular Goods from the Republic of Türkiye; and Large Diameter Welded Pipe from the Republic of Türkiye: Final Results of Antidumping Duty Changed Circumstances Reviews,* 89 FR 96211 (December 4, 2024).

deadline for interested parties to submit case briefs to Commerce to no later than 21 days after the date of the publication of this notice.[9] 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.[10] Parties who submit case briefs or rebuttal briefs in this proceeding are encouraged to submit with each argument: (1) a statement of the issue; and (2) a table of authorities.[11] All briefs must be filed electronically using ACCESS. An electronically filed document must be received successfully in its entirety in ACCESS by 5:00 p.m. Eastern Time on the established deadline.

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 review, we instead request that interested parties provide at the beginning of their briefs a public executive summary for each issue raised in their briefs.[12] Further, we request that interested parties limit their public executive summary of each issue to no more than 450 words, not including citations. We intend to use the public executive summaries as the basis of the comment summaries included in the issues and decision memorandum that will accompany the final determination in this review. We request that interested parties include footnotes for relevant citations in the public 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).[13]

Pursuant to 19 CFR 351.310(c), interested parties who wish to request a hearing must submit a written request to the Assistant Secretary for Enforcement and Compliance, filed electronically via Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). Requests should contain: (1) the party's name, address, and telephone number; (2) the number of participants; and (3) a list of the issues to be discussed. Issues raised in the hearing will be limited to those raised in the respective case briefs. An electronically filed hearing request must be received successfully in its entirety by Commerce's electronic records system, ACCESS, within 30 days after the date of publication of this notice.

Assessment of Antidumping Duties

Upon completion of the final results, Commerce shall determine, and the U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries covered by this review.[14] If a respondent's weighted-average dumping margin is not zero or *de minimis* (*i.e.,* less than 0.5 percent) in the final results of this review, we intend to calculate an importer-specific assessment rate based on the ratio of the total amount of dumping calculated for each importer's examined sales and the total entered value of those same sales in accordance with 19 CFR 351.212(b)(1).[15] If the respondent's weighted-average dumping margin or an importer-specific assessment rate is zero or *de minimis* in the final results of this review, we intend to instruct CBP not to assess antidumping duties on any of that importer's entries in accordance with the *Final Modification for Reviews*.[16] The final results of this administrative review shall be the basis for the assessment of antidumping duties on entries of merchandise covered by the final results of this review and for future deposits of estimated duties, where applicable.[17]

For entries of subject merchandise during the POR produced by Borusan for which it did not know that its merchandise was destined for the United States, we will instruct CBP to liquidate such suspended entries pursuant to the reseller policy,[18] *i.e.,* the assessment rate for such entries will be equal to the all-others rate established in the investigation (*i.e.,* 14.74 percent *ad valorem*),[19] if there is no rate for the intermediate company(ies) involved in the transaction.

Commerce intends to issue assessment instructions to CBP no earlier than 35 days after the date of publication of the final results of this review in the **Federal Register**. If a timely summons is filed at the U.S. Court of International Trade, the assessment instructions will direct CBP not to liquidate relevant entries until the time for parties to file a request for a statutory injunction has expired (*i.e.,* within 90 days of publication).

Cash Deposit Requirements

The following cash deposit requirements for estimated antidumping duties will be effective upon publication in the **Federal Register** of the notice of final results of this review for all shipments of CWP from Türkiye entered, or withdrawn from warehouse, for consumption on or after the date of publication as provided by section 751(a)(2)(C) of the Act: (1) the cash deposit rate for subject merchandise exported by Borusan will be equal to this company's weighted-average dumping margin established in the final results of this review, (except if the *ad valorem* rate is *de minimis* within the meaning of 19 CFR 351.106(C)(1), in which case the cash deposit rate will be zero); (2) for subject merchandise exported by previously investigated companies not participating in this review, the cash deposit will continue to be the company-specific rate published for the most recently completed segment of this proceeding in which the company participated; (3) if the exporter is not a firm covered in this review, or a previous segment of this proceeding, but the producer is, then the cash deposit rate will be the company-specific rate established for the most recently completed segment for the producer of the merchandise; and (4) the cash deposit rate for all other producers and exporters will continue to be 14.74 percent, the all-others rate established in the underlying investigation.[20] These cash deposit requirements, when imposed, shall remain in effect until further notice.

Final Results of Review

Unless otherwise extended, Commerce intends to issue the final results of this administrative review, including the results of its analysis of issues raised in any written briefs, no later than 120 days after the date of publication of this notice, pursuant to section 751(a)(3)(A) of the Act and 19 CFR 351.213(h)(1).

Notification to Importers

This notice also serves as a preliminary reminder to importers of their responsibility under 19 CFR 351.402(f) to file a certificate regarding

[9] *See* 19 CFR 351.309.

[10] *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*).

[11] *See* 19 CFR 351.309(c)(2) and (d)(2).

[12] We use the term ''issue'' here to describe an argument that Commerce would normally address in a comment of the Issues and Decision Memorandum.

[13] *See APO and Service Final Rule.*

[14] *See* 19 CFR 351.212(b)(1).

[15] In these preliminary results, Commerce applied the assessment rate calculation method adopted in *Antidumping Proceedings: Calculation of the Weighted-Average Dumping Margin and Assessment Rate in Certain Antidumping Duty Proceedings; Final Modification,* 77 FR 8101 (February 14, 2012) (*Final Modification for Reviews*).

[16] *See Final Modification for Reviews,* 77 FR at 8103; *see also* 19 CFR 351.106(c)(2).

[17] *See* section 751(a)(2)(C) of the Act.

[18] *See Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties,* 68 FR 23954 (May 6, 2003).

[19] *See Order,* 51 FR at 17784.

[20] *Id.*

the reimbursement of antidumping duties prior to liquidation of the relevant entries during this POR. Failure to comply with this requirement could result in Commerce's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties, and/or an increase in the amount of antidumping duties by the amount of countervailing duties.

Notification to Interested Parties

These preliminary results and notice are issued and published in accordance with sections 751(a)(1) and 777(i)(1) of the Act, 19 CFR 351.213(d)(4), 19 CFR 351.213(h), and 19 CFR 351.221(b)(4).

Dated: September 5, 2025.

Christopher Abbott,

Deputy Assistant Secretary for Policy and Negotiations performing the non-exclusive functions and duties of the Assistant Secretary for Enforcement and Compliance.

Appendix

List of Topics Discussed in the Preliminary Decision Memorandum

I. Summary
II. Background
III. Scope of the *Order*
IV. Discussion of the Methodology
V. Currency Conversion
VI. Recommendation

[FR Doc. 2025–17458 Filed 9–10–25; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[A–523–810]

Polyethylene Terephthalate Resin From the Sultanate of Oman: Preliminary Results of Antidumping Duty Administrative Review; 2023–2024

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

SUMMARY: The U.S. Department of Commerce (Commerce) preliminarily determines that OCTAL SAOC FZC (OCTAL), the mandatory respondent in this administrative review of the antidumping duty (AD) order on polyethylene terephthalate resin (PET resin) from the Sultanate of Oman (Oman), sold subject merchandise at less than normal value (NV) during the period of review (POR) May 1, 2023, through April 30, 2024. Interested parties are invited to comment on the preliminary results of this administrative review.

DATES: Applicable September 11, 2025.

FOR FURTHER INFORMATION CONTACT: Dylan Hill, AD/CVD Operations, Office IV, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–1197, respectively.

SUPPLEMENTARY INFORMATION:

Background

On May 6, 2016, Commerce published the AD order on PET resin from Oman.[1] On May 2, 2024, Commerce notified interested parties of an opportunity to request an administrative review of the *Order* covering the POR.[2] Based on timely requests for review, in accordance with section 751(a)(1)(B) of the Tariff Act of 1930, as amended (the Act), on July 5, 2024, Commerce initiated an administrative review of the *Order* with respect to OCTAL covering the POR.[3] On July 22, and December 9, 2024, Commerce tolled certain deadlines in this administrative proceeding by seven days and 90 days, respectively.[4] On May 5, 2025, Commerce extended the deadline for these preliminary results of review until September 5, 2025.[5]

For a complete description of the events that followed the initiation of this review, *see* the accompanying Preliminary Decision Memorandum.[6] A list of the topics discussed in the Preliminary Decision Memorandum is attached as an appendix 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.*

Scope of the Order

The merchandise covered by the *Order* is PET resin having an intrinsic viscosity of at least 0.70, but not more than 0.88, deciliters per gram. For a full description of the scope of the *Order, see* the Preliminary Decision Memorandum.

Methodology

Commerce is conducting this review in accordance with section 751(a)(1)(B) the Act. In conducting the review, we calculated export and constructed export prices and NV in accordance with sections 772 and 773 of the Act, respectively. For a full description of the methodology underlying the preliminary results of this review, *see* the Preliminary Decision Memorandum.

Preliminary Results of Review

We preliminarily determine that the following weighted-average dumping margin exists for the period May 1, 2023, through April 30, 2024:

Producer/exporter	Weighted-average dumping margin (percent)
OCTAL SAOC FZC[7]	3.06

Disclosure

Commerce intends to disclose its calculations for the preliminary results of review to parties to the proceeding within five days of any public announcement or, if there is no public announcement, within five days of the date of publication of this notice in the **Federal Register** in accordance with 19 CFR 351.224(b).

Public Comment

Case briefs or other written comments may be submitted to the Assistant Secretary for Enforcement and

[1] *See Certain Polyethylene Terephthalate Resin from Canada, the People's Republic of China, India, and the Sultanate of Oman: Amended Final Affirmative Antidumping Determination (Sultanate of Oman) and Antidumping Duty Orders,* 81 FR 27979 (May 6, 2016) (*Order*).

[2] *See Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity To Request Administrative Review and Join Annual Inquiry Service List,* 89 FR 35778 (May 2, 2024).

[3] While Commerce initiated this administrative review with respect to OCTAL and OCTAL Inc., OCTAL Inc. is OCTAL's affiliated U.S. importer, and as such, Commerce should not have included OCTAL Inc. in the *Initiation.* We intend to correct this error in the next notice of initiation of antidumping and countervailing duty administrative reviews. *See Initiation of Antidumping and Countervailing Duty Administrative Reviews,* 89 FR 55567, 55572 (July 5, 2024) (*Initiation*); *see also* OCTAL's Letter, ''OCTAL SAOC–FZC Section A Response,'' dated September 3, 2024, at 8.

[4] *See* Memoranda, ''Tolling of Deadlines for Antidumping and Countervailing Duty Proceedings,'' dated July 22, 2024, and ''Tolling of Deadlines for Antidumping and Countervailing Duty Proceedings,'' dated December 9, 2024.

[5] *See* Memorandum, ''Extension of Deadline for Preliminary Results of Antidumping Duty Administrative Review,'' dated May 5, 2025.

[6] *See* Memorandum, ''Decision Memorandum for the Preliminary Results of the Administrative Review of the Antidumping Duty Order on Polyethylene Terephthalate Resin from the Sultanate of Oman; 2023–2024,'' dated concurrently with, and hereby adopted by, this notice (Preliminary Decision Memorandum).

[7] While Commerce initiated this administrative review with respect to OCTAL SAOC FZC and OCTAL Inc., OCTAL Inc. is OCTAL's affiliated U.S. importer, and as such, Commerce should not have included OCTAL Inc. in the *Initiation Notice.*

Compliance.[8] Pursuant to 19 CFR 351.309(c)(1)(ii), we have modified the deadline for interested parties to submit case briefs to Commerce to no later than 21 days after the date of the publication of this notice in the **Federal Register**. Rebuttal briefs, limited to issues raised in the case briefs, may be filed not later than five days after the due date for filing case briefs.[9] Parties who submit case briefs or rebuttal briefs in this proceeding are encouraged to submit with each argument: (1) a statement of the issue; and (2) a table of authorities.[10] All briefs must be filed electronically using ACCESS. An electronically filed document must be received successfully in its entirety in ACCESS by 5:00 p.m. Eastern Time on the established deadline.

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 review, we instead request that interested parties provide at the beginning of their briefs a public, executive summary for each issue raised in their briefs.[11] 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 results in this administrative review. 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).[12]

Pursuant to 19 CFR 351.310(c), interested parties who wish to request a hearing must submit a written request to the Assistant Secretary for Enforcement and Compliance, filed electronically via ACCESS. Requests should contain: (1) the party's name, address, and telephone number; (2) the number of participants; and (3) a list of issues to be discussed. Issues raised in the hearing will be limited to those raised in the case and rebuttal briefs. An electronically filed hearing request must be received successfully in its entirety by Commerce's electronic records system, ACCESS, by 5:00 p.m. Eastern Time within 30 days after the date of publication of this notice in the **Federal Register**. If a hearing is requested, Commerce will announce the date and time of the hearing. Parties should confirm the date and time of the hearing two days before the scheduled hearing date.

Final Results of Review

Unless otherwise extended, Commerce intends to issue the final results of this administrative review, which will include the results of its analysis of issues raised in any briefs, within 120 days of publication of these preliminary results of review in the **Federal Register**, pursuant to section 751(a)(3)(A) of the Act.[13]

Assessment Rates

In accordance with section 751(a)(2)(C) of the Act, the assessment of antidumping duties on entries of merchandise covered by this review shall be based on the final results of the review.[14] Therefore, upon issuance of the final results of this review, Commerce will determine, and U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries of subject merchandise covered by this review in accordance with 19 CFR 351.212(b)(1).

Commerce intends to issue assessment instructions to CBP no earlier than 35 days after the date of publication of the final results of this review in the **Federal Register**. If a timely summons is filed at the U.S. Court of International Trade, the assessment instructions will direct CBP not to liquidate relevant entries until the time for parties to file a request for a statutory injunction has expired (*i.e.,* within 90 days of publication).

We will calculate importer-specific *ad valorem* assessment rates for OCTAL, in accordance with 19 CFR 351.212(b)(1),[15] by dividing the total amount of dumping calculated for all reviewed U.S. sales to an importer by the total entered value of the merchandise sold to the importer.[16]

Where either OCTAL's *ad valorem* weighted-average dumping margin is zero or *de minimis,* or an importer-specific *ad valorem* assessment rate is zero or *de minimis,*[17] we will instruct CBP to liquidate the appropriate entries without regard to antidumping duties.

Pursuant to a refinement to Commerce's assessment practice, where a sale of subject merchandise that was produced or exported by an individually examined respondent was not reported in the U.S. sales data submitted by the respondent, but the merchandise was entered into the United States for consumption during the POR, Commerce will instruct CBP to liquidate any entries of such merchandise at the all-others rate (in this case 7.62 percent) [18] if there is no rate for the intermediate company(ies) involved in the transaction.[19]

Cash Deposit Requirements

The following cash deposit requirements will be in effect for all shipments of subject merchandise entered, or withdrawn from warehouse, for consumption on or after the date of publication of the notice of the final results of this administrative review in the **Federal Register**, as provided for by section 751(a)(2)(C) of the Act: (1) the cash deposit rate for OCTAL will be equal to the weighted-average dumping margin established for the company in the final results of this review, except if the weighted-average dumping margin is less than 0.50 percent, and, therefore, *de minimis* within the meaning of 19 CFR 351.106(c)(1), the cash deposit rate will be zero; (2) for previously investigated or reviewed companies that are not covered by this review, the cash deposit rate will continue to be the company's cash deposit rate from the most recently completed segment of the proceeding in which it was examined; (3) if the exporter is not covered by this review, and does not have a cash deposit rate from a completed segment of this proceeding, but the producer of the subject merchandise does have a cash deposit rate, then the cash deposit rate will be the producer's cash deposit rate from the most recently completed segment of the proceeding in which it was examined; and (4) the cash deposit rate for all other producers or exporters will continue to be 7.62 percent, the all-others rate established in the less-than-fair-value investigation in this

[8] *See* 19 CFR 351.309(c)(1)(ii).

[9] *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*).

[10] *See* 19 CFR 351.309(c)(2) and (d)(2).

[11] We use the term ''issue'' here to describe an argument that Commerce would normally address in a comment of the Issues and Decision Memorandum.

[12] *See APO and Service Final Rule,* 88 FR at 67070.

[13] *See* section 751(a)(3)(A) of the Act; *see also* 19 CFR 351.213(h)(1).

[14] *See* section 751(a)(2)(C) of the Act.

[15] We applied the assessment rate calculation method adopted in *Antidumping Proceedings: Calculation of the Weighted-Average Dumping Margin and Assessment Rate in Certain Antidumping Proceedings: Final Modification,* 77 FR 8101 (February 14, 2012).

[16] *See* 19 CFR 351.212(b)(1).

[17] *See* 19 CFR 351.106(c)(2).

[18] *See Order,* 81 FR at 27982.

[19] For a full discussion of this practice, *see Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties,* 68 FR 23954 (May 6, 2003).

proceeding.[20] These cash deposit requirements, when imposed, shall remain in effect until further notice.

Notification to Importers

This notice serves as a preliminary reminder to importers of their responsibility under 19 CFR 351.402(f) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in Commerce's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

Notification to Interested Parties

We are issuing and publishing these preliminary results of review in accordance with sections 751(a)(1) and 777(i)(1) of the Act, and 19 CFR 351.213(h)(2) and 351.221(b)(4).

Dated: September 5, 2025.

Christopher Abbott,

Deputy Assistant Secretary for Policy and Negotiations, performing the non-exclusive functions and duties of the Assistant Secretary for Enforcement and Compliance.

Appendix

List of Topics Discussed in the Preliminary Decision Memorandum

I. Summary
II. Background
III. Scope of the *Order*
IV. Discussion of the Methodology
V. Currency Conversion
VI. Recommendation

[FR Doc. 2025–17455 Filed 9–10–25; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[C–580–898]

Large Diameter Welded Pipe From the Republic of Korea: Preliminary Results and Partial Rescission of the Countervailing Duty Administrative Review; 2023

AGENCY: Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce.

SUMMARY: The U.S. Department of Commerce (Commerce) preliminarily determines that countervailable subsidies are being provided to certain producers and exporters of large diameter welded pipe (welded pipe) from the Republic of Korea (Korea). The period of review (POR) is January 1, 2023, through December 31, 2023. Additionally, we are rescinding this review with respect to 16 companies. Interested parties are invited to comment on these preliminary results of review.

DATES: Applicable September 11, 2025.

FOR FURTHER INFORMATION CONTACT: Brandon James, AD/CVD Operations, Office VIII, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–7472.

SUPPLEMENTARY INFORMATION:

Background

On May 2, 2019, Commerce published a countervailing duty (CVD) order on welded pipe from Korea.[1] On July 5, 2024, Commerce initiated an administrative review of the *Order*.[2] Commerce selected Hyundai RB Co., Ltd. (Hyundai RB) and SeAH Steel Corporation (SeAH Steel) as the mandatory respondents in this administrative review.[3] On July 22, 2024, Commerce tolled certain deadlines in this administrative proceeding by seven days.[4] On December 9, 2024, Commerce tolled the deadline to issue the preliminary results in this administrative review by an additional 90 days.[5] On April 3, 2025, Commerce extended the deadline for these preliminary results to no later than September 5, 2025.[6]

For a complete description of the events that followed the initiation of this review, *see* the Preliminary Decision Memorandum.[7] A list of topics discussed in the Preliminary Decision Memorandum is included in Appendix I 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.*

Scope of the Order

The merchandise covered by the *Order* is welded pipe. For a complete description of the scope of the *Order, see* the Preliminary Decision Memorandum.

Rescission of Administrative Review, in Part

It is Commerce's practice to rescind an administrative review of a CVD order, pursuant to 19 CFR 351.213(d)(3), when there are no reviewable entries of subject merchandise during the POR for which liquidation is suspended.[8] Normally, upon completion of an administrative review, the suspended entries are liquidated at the CVD assessment rate calculated for the review period.[9] Therefore, for an administrative review of a company to be conducted, there must be a reviewable, suspended entry that Commerce can instruct CBP to liquidate at the CVD assessment rate calculated for the POR.[10]

On August 21, 2024, Commerce notified interested parties that it intended to rescind this administrative review with respect to the 16 companies, listed in Appendix II, in the absence of suspended entries of subject merchandise during the POR.[11] No party commented on our Intent to Rescind Memorandum and there is no other information on the record indicating that these companies had POR entries of the subject merchandise. Absent any evidence of shipments placed on the record, pursuant to 19 CFR 351.213(d)(3), we are rescinding the administrative review of these companies (*see* Appendix II).

[20] *See Order*, 81 FR at 27982.

[1] *See Large Diameter Welded Pipe from the Republic of Korea: Countervailing Duty Order,* 84 FR 18773 (May 2, 2019) (*Order*).

[2] *See Initiation of Antidumping and Countervailing Duty Administrative Reviews,* 89 FR 55567 (July 5, 2024) (*Initiation Notice*).

[3] *See* Memorandum, ''Respondent Selection,'' dated August 5, 2024.

[4] *See* Memorandum, ''Tolling of Deadlines for Antidumping and Countervailing Duty Proceedings,'' dated July 22, 2024.

[5] *See* Memorandum, ''Tolling of Deadlines for Antidumping and Countervailing Duty Proceedings,'' dated December 9, 2024.

[6] *See* Memorandum, ''Extension of Deadline for Preliminary Results of Countervailing Duty Administrative Review,'' dated April 3, 2025.

[7] *See* Memorandum, ''Decision Memorandum for the Preliminary Results of the Administrative Review of the Countervailing Duty Order on Large Diameter Welded Pipe from the Republic of Korea; 2023,'' dated concurrently with, and hereby adopted by, this notice (Preliminary Decision Memorandum).

[8] *See, e.g., Lightweight Thermal Paper from the People's Republic of China: Notice of Rescission of Countervailing Duty Administrative Review; 2015,* 82 FR 14349 (March 20, 2017); *see also Circular Welded Carbon Quality Steel Pipe from the People's Republic of China: Rescission of Countervailing Duty Administrative Review; 2017,* 84 FR 14650 (April 11, 2019).

[9] *See* 19 CFR 351.212(b)(2).

[10] *See* 19 CFR 351.213(d)(3).

[11] *See* Memorandum, ''Notice of Intent to Rescind Review, In Part,'' dated August 21, 2024 (Intent to Rescind Memorandum).

Methodology

Commerce is conducting this review in accordance with section 751(a)(l)(A) of the Tariff Act of 1930, as amended (the Act). For each of the subsidy programs found countervailable, we preliminarily determine that there is a subsidy, *i.e.,* a government-provided financial contribution by an ''authority'' that confers a benefit to the recipient, and that the subsidy is specific.[12] For a full description of the methodology underlying our conclusions, *see* the Preliminary Decision Memorandum.

Preliminary Rate for Non-Selected Companies

The statute and Commerce's regulations do not directly address the countervailing duty rates to be applied to companies not selected for individual examination where Commerce limited its examination in an administrative review pursuant to section 777A(e)(2) of the Act. However, Commerce normally determines the rates for non-selected companies in reviews in a manner that is consistent with section 705(c)(5) of the Act, which provides instructions for calculating the all-others rate in an investigation. Section 777A(e)(2) of the Act provides that ''the individual countervailable subsidy rates determined under subparagraph (A) shall be used to determine the all-others rate under section 705(c)(5) {of the Act}.'' Section 705(c)(5)(A) of the Act states that for companies not investigated, in general, we will determine an all-others rate by weight averaging the countervailable subsidy rates established for each of the companies individually investigated, excluding zero and *de minimis* rates or any rates based solely on the facts available.

Commerce initiated this administrative review with respect to 26 producers/exporters. We are rescinding the review with respect to the 16 companies listed in Appendix II. Commerce selected two mandatory respondents, Hyundai RB and SeAH Steel, for individual examination. For the remaining non-selected companies subject to this review, *i.e.,* (1) AJU Besteel Co., Ltd.; (2) Chang Won Bending Co., Ltd.; (3) Dong Yang Steel Pipe Co., Ltd.; (4) EEW Korea Co., Ltd.; (5) Histeel Co., Ltd.; (6) Husteel Co., Ltd., (7) Hyundai Steel Company; and (8) Nexteel Co., Ltd., because the rate calculated for mandatory respondent, Hyundai RB, is above *de minimis* and not based entirely on facts available, we are applying a preliminary subsidy rate based on net subsidy rate calculated for Hyundai RB to the non-selected companies under review. This methodology is consistent with our practice for establishing an all-others subsidy rate pursuant to section 705(c)(5)(A) of the Act.

Preliminary Results of the Review

In accordance with 19 CFR 351.221(b)(4)(i), Commerce preliminarily calculated the following net countervailable subsidy rates for the period January 1, 2023, through December 31, 2023:

Company	Subsidy rate (percent *ad valorem*)
Hyundai RB Co., Ltd.[13]	0.79
SeAH Steel Corporation[14]	0.41 (*de minimis*)
Review-Specific Average Rate for Non-Selected Companies[15]	
AJU Besteel Co., Ltd	0.79
Chang Won Bending Co., Ltd	0.79
Dong Yang Steel Pipe Co., Ltd	0.79
EEW Korea Co., Ltd	0.79
HiSteel Co., Ltd	0.79
Husteel Co., Ltd.[16]	0.79
Hyundai Steel Company[17]	0.79
Nexteel Co,. Ltd	0.79

Disclosure

Commerce intends to disclose its calculations performed to interested parties for these preliminary results within five days of any public announcement or, if there is no public announcement, within five days of the date of publication of this notice in accordance with 19 CFR 351.224(b).

Public Comment

Case briefs or other written comments may be submitted to the Assistant Secretary for Enforcement and Compliance.[18] Pursuant to 19 CFR 351.309(c)(1)(ii), we have modified the deadline for interested parties to submit case briefs to Commerce no later than 21 days after the date of the publication of this notice. 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.[19] Interested

[12] *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.

[13] Commerce previously found Shinchang Construction Co., Ltd. to be cross-owned with Hyundai RB. *See Large Diameter Welded Pipe from the Republic of Korea: Preliminary Results and Partial Rescission of the Countervailing Duty Administrative Review; 2021,* 88 FR 37200 (June 7, 2023), and accompanying Preliminary Decision Memorandum at 6–7, unchanged in *Large Diameter Welded Pipe from the Republic of Korea: Final Results of Countervailing Duty Administrative Review; 2021,* 88 FR 85236 (December 7, 2023), and accompanying Issues and Decision Memorandum.

[14] Commerce finds SeAH Steel Holdings Corporation to be cross-owned with SeAH Steel. *See* Preliminary Decision Memorandum at 7.

[15] This rate is based on the rates for the respondents that were selected for individual review, excluding rates that are zero, *de minimis,* or based entirely on facts available. *See* section 735(c)(5)(A) of the Act.

[16] Subject merchandise both produced and exported by Husteel Co., Ltd. (Husteel) is excluded from the order. *See Large Diameter Welded Pipe from the Republic of Korea: Countervailing Duty Order,* 84 FR 18773 (May 2, 2019). Thus, Husteel's inclusion in this administrative review is limited to entries for which Husteel was not both the producer and exporter of the subject merchandise.

[17] Subject merchandise both produced and exported by Hyundai Steel Company (Hyundai Steel) and subject merchandise produced by Hyundai Steel and exported by Hyundai Corporation are excluded from the countervailing duty order. *See Order,* 84 FR at 18773. Thus, Hyundai Steel's inclusion in this administrative review is limited to entries for which Hyundai Steel was not the producer and exporter of the subject merchandise and for which Hyundai Steel was not the producer and Hyundai Corporation was not the exporter of subject merchandise.

[18] *See* 19 CFR 351.309(c)(1)(ii).

[19] *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*).

parties who submit case briefs or rebuttal briefs in this proceeding must submit: (1) a table of contents listing each issue; and (2) a table of authorities.[20]

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 briefs that should be limited to five pages total, including footnotes. In this review, we instead request that interested parties provide at the beginning of their briefs a public, executive summary for each issue raised in their briefs.[21] 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 results in this administrative review. 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).[22]

Pursuant to 19 CFR 351.310(c), interested parties who wish to request a hearing must submit a written request to the Assistant Secretary for Enforcement and Compliance, filed electronically via ACCESS. Requests should contain: (1) the party's name, address, and telephone number; (2) the number of participants and whether any of the participants are foreign nationals; and (3) a list of issues to be discussed. Issues raised in the hearing will be limited to those raised in the respective case briefs. An electronically filed hearing request must be received successfully in its entirety by Commerce's electronic records system, ACCESS, by 5 p.m. Eastern Time within 30 days after the date of publication of this notice.

Final Results

Unless the deadline is extended, we intend to issue the final results of this administrative review, which will include the results of our analysis of the issues raised in the case briefs, within 120 days of publication of these preliminary results in the **Federal Register**, pursuant to section 751(a)(3)(A) of the Act and 19 CFR 351.213(h).

Assessment Rates

In accordance with 19 CFR 351.221(b)(4)(i), we preliminarily assigned subsidy rates in the amounts shown above for the producers/exporters shown above. Upon completion of the administrative review, consistent with section 751(a)(1) of the Act and 19 CFR 351.212(b)(2), Commerce shall determine, and U.S. Customs and Border Protection (CBP) shall assess, countervailing duties on all appropriate entries covered by this review.

For the companies for which this review is rescinded, we will instruct CBP to assess countervailing duties on all appropriate entries at a rate equal to the cash deposit of estimated countervailing duties required at the time of entry, or withdrawal from warehouse, for consumption, during the period January 1, 2023, through December 31, 2023, in accordance with 19 CFR 351.212(c)(l)(i). We intend to issue assessment instructions to CBP for these companies no earlier than 35 days after the date of publication of the preliminary results of this review in the **Federal Register**.

For the companies remaining in the review, we intend to issue assessment instructions to CBP no earlier than 35 days after the date of publication of the final results of this review in the **Federal Register**. If a timely summons is filed at the U.S. Court of International Trade, the assessment instructions will direct CBP not to liquidate relevant entries until the time for parties to file a request for a statutory injunction has expired (*i.e.,* within 90 days of publication).

Cash Deposit Rate

In accordance with section 751(a)(2)(C) of the Act, Commerce intends, upon publication of the final results, to instruct CBP to collect cash deposits of estimated countervailing duties in the amounts calculated in the final results for each of the reviewed companies listed above on shipments of subject merchandise entered, or withdrawn from warehouse, for consumption on or after the date of publication of the final results of this review, except, where the rate calculated in the final results is zero or *de minimis,* no cash deposit will be required. For all non-reviewed firms, we will instruct CBP to continue to collect cash deposits of estimated countervailing duties at the all-others rate as established in the *Order* (*i.e.,* 9.29 percent) [23] or the most recent company-specific rate applicable to the company, as appropriate. These cash deposit instructions, when imposed, shall remain in effect until further notice.

Notification to Interested Parties

These preliminary results of review are issued and published pursuant to sections 751(a)(1) and 777(i)(1) of the Act, and 19 CFR 351.213(d)(4) and 351.221(b)(4).

Dated: September 5, 2025.

Christopher Abbott,

Deputy Assistant Secretary for Policy and Negotiations, performing the non-exclusive functions and duties of the Assistant Secretary for Enforcement and Compliance.

Appendix I

List of Topics Discussed in the Preliminary Decision Memorandum

I. Summary
II. Background
III. Scope of the *Order*
IV. Diversification of Korea's Economy
V. Subsidies Valuation Information
VI. Benchmarks and Interest Rates
VII. Analysis of Programs
VIII. Recommendation

Appendix II

Companies Rescinded From Review

1. Daiduck Piping Co., Ltd.
2. Dongbu Incheon Steel Co., Ltd.
3. EEW KHPC Co., Ltd.
4. Hansol Metal Co., Ltd.
5. Il Jin Nts Co. Ltd.
6. Iljin Nts Co. Ltd.
7. Kem Solutions Co., Ltd.
8. Kiduck Industries Co., Ltd.
9. Kum Kang Kind. Co., Ltd.
10. Kumsoo Connecting Co., Ltd.
11. POSCO International Corporation
12. Samkang M&T Co., Ltd.
13. Seonghwa Industrial Co., Ltd.
14. SIN–E B&P Co., Ltd.
15. Steel Flower Co., Ltd.
16. WELTECH Co., Ltd.

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DEPARTMENT OF COMMERCE

INTERNATIONAL TRADE ADMINISTRATION

[C–489–834]

Large Diameter Welded Pipe From the Republic of Türkiye: Preliminary Results and Rescission, in Part, of Countervailing Duty Administrative Review; 2023

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

SUMMARY: The U.S. Department of Commerce (Commerce) preliminarily determines that countervailable

[20] *See* 19 CFR 351.309(c)(2) and (d)(2).

[21] We use the term ''issue'' here to describe an argument that Commerce would normally address in a comment of the Issues and Decision Memorandum.

[22] *See APO and Service Final Rule.*

[23] *See Order,* 84 FR at 18775.

subsidies were provided to producers and exporters of large diameter welded pipe (welded pipe) from the Republic of Türkiye (Türkiye) during the period of review (POR) January 1, 2023, through December 31, 2023. Interested parties are invited to comment on these preliminary results.

DATES: Applicable September 11, 2025.

FOR FURTHER INFORMATION CONTACT: Ajay Menon, AD/CVD Operations, Office IX, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–0208.

SUPPLEMENTARY INFORMATION:

Background

On May 2, 2019, Commerce published in the **Federal Register** a countervailing duty (CVD) order on welded pipe from Türkiye.[1] On May 2, 2024, Commerce published the notice of the opportunity to request a review of the *Order*.[2] On July 5, 2024, Commerce published the notice of the initiation of this administrative review in the **Federal Register**.[3] On July 22, 2024, Commerce tolled certain deadlines in this administrative proceeding by seven days.[4] On December 9, 2024, Commerce tolled certain deadlines in this administrative proceeding by an additional 90 days.[5] Finally, on April 30, 2025, we extended the deadline for the preliminary results of this administrative review until September 5, 2025.[6]

For a complete description of the events that followed the initiation of this review, *see* the Preliminary Decision Memorandum.[7] A list of topics included in the Preliminary Decision Memorandum is provided in Appendix I 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.*

Scope of the Order

The product covered by the *Order* is welded pipe from Türkiye. For a complete description of the scope of the *Order, see* the Preliminary Decision Memorandum.

Rescission of Administrative Review, in Part

In accordance with 19 CFR 351.213(d)(1), Commerce will rescind an administrative review, in whole or in part, if all parties that requested the review withdraw their requests within 90 days of the date of publication of the notice of initiation of the requested review. Commerce received timely-filed withdrawal requests with respect to 10 companies, pursuant to 19 CFR 351.213(d)(1). Because the withdrawal requests were timely filed, and no other parties requested a review of these companies, in accordance with 19 CFR 351.213(d)(1), Commerce is rescinding this review of the *Order* with respect to these 10 companies. For a list of these companies with timely-filed withdrawal of review requests, *see* Appendix II.

Pursuant to 19 CFR 351.213(d)(3), Commerce's practice is to rescind an administrative review of a CVD order when it concludes that there are no suspended entries of subject merchandise during the POR.[8] Normally, upon completion of an administrative review, the suspended entries are liquidated at the CVD assessment rate calculated for the review period.[9] Therefore, for an administrative review of a company to be conducted, there must be a reviewable, suspended entry that Commerce can instruct U.S. Customs and Border Protection (CBP) to liquidate at the CVD assessment rate calculated for the POR.[10]

According to the CBP import data, Çimtaş Boru Imalatiral Ticaret Ltd. (Cimtas), had no entries of subject merchandise during the POR.[11] Therefore, we notified parties that we intended to rescind this administrative review with respect to Çimtaş and provided parties an opportunity to submit comments.[12] We received no comments from interested parties. Therefore, in the absence of suspended entries of subject merchandise during the POR, in accordance with 19 CFR 351.213(d)(3), we are also rescinding the administrative review with respect to Cimtas.

Methodology

Commerce is conducting this administrative review in accordance with 751(a)(1)(A) of Tariff Act of 1930, as amended (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.[13] For a full description of the methodology underlying our conclusions, *see* the Preliminary Decision Memorandum.

Preliminary Results of Review

As a result of this review, we preliminarily determine the following net countervailable subsidy rates exist for the period January 1, 2023, through December 31, 2023:

Company	Subsidy rate (percent *ad valorem*)
HDM Çelik Boru Sanayi Ve Ticaret A.S.[14]	4.40

Disclosure

Commerce intends to disclose its calculations and analysis performed to interested parties for these preliminary results within five days of any public announcement or, if there is no public announcement, within five days of the date of publication of this notice in accordance with 19 CFR 351.224(b).

[1] *Large Diameter Welded Pipe from the Republic of Turkey: Countervailing Duty Order,* 84 FR 18771 (May 2, 2019) (*Order*).

[2] *See Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity To Request Administrative Review and Join Annual Inquiry Service List,* 89 FR 35778 (May 2, 2024).

[3] *See Initiation of Antidumping and Countervailing Duty Administrative Reviews,* 89 FR 55567 (July 5, 2024) (*Initiation Notice*).

[4] *See* Memorandum, ''Tolling of Deadlines for Antidumping and Countervailing Duty Proceedings,'' dated July 22, 2024.

[5] *See* Memorandum, ''Tolling of Deadlines for Antidumping and Countervailing Duty Proceedings,'' dated December 9, 2024.

[6] *See* Memorandum, ''Extension of Deadline for Preliminary Results of 2023 Countervailing Duty Administrative Review,'' dated April 30, 2025.

[7] *See* Memorandum, ''Decision Memorandum for the Preliminary Results of the 2023 Countervailing Duty Administrative Review of Large Diameter Welded Pipe from the Republic of Türkiye,'' dated concurrently with, and hereby adopted by, this notice (Preliminary Decision Memorandum).

[8] *See, e.g., Lightweight Thermal Paper from the People's Republic of China: Notice of Rescission of Countervailing Duty Administrative Review; 2015,* 82 FR 14349 (March 20, 2017); *see also Circular Welded Carbon Quality Steel Pipe from the People's Republic of China: Rescission of Countervailing Duty Administrative Review; 2017,* 84 FR 14650 (April 11, 2019).

[9] *See* 19 CFR 351.212(b)(2).

[10] *See* 19 CFR 351.213(d)(3).

[11] *See* Memorandum, ''Release of U.S. Customs and Border Protection Entry Data,'' dated July 12, 2024.

[12] *See* Memorandum, ''Intent to Rescind Review,'' dated July 22, 2024.

[13] *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.

[14] This rate also applies to HDM Spiral Kaynakli Celik Boru A.S., the English name of which is HDM Spirally Welded Steel Pipe Inc.

Public Comment

Case briefs or other written comments may be submitted to the Assistant Secretary for Enforcement and Compliance. Pursuant to 19 CFR 351.309(c)(1)(ii), we have modified the deadline for interested parties to submit case briefs to Commerce to no later than 21 days after the date of the publication of this notice.[15] 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.[16] Interested parties who submit case briefs or rebuttal briefs in this proceeding must submit: (1) a table of contents listing each issue; and (2) a table of authorities.[17] All briefs must be filed electronically using ACCESS. An electronically filed document must be received successfully in its entirety in ACCESS by 5:00 p.m. Eastern Time on the established deadline.

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 review, we instead request that interested parties provide at the beginning of their briefs a public, executive summary for each issue raised in their briefs.[18] Further, we request that interested parties limit their public executive summary of each issue to no more than 450 words, not including citations. We intend to use the public executive summaries as the basis of the comment summaries included in the issues and decision memorandum that will accompany the final results in this administrative review. We request that interested parties include footnotes for relevant citations in the public 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).[19]

Pursuant to 19 CFR 351.310(c), interested parties who wish to request a hearing must submit a written request to the Assistant Secretary for Enforcement and Compliance, filed electronically via ACCESS by 5:00 p.m. Eastern Time 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 issues to be discussed. Issues raised in the hearing will be limited to those raised in the respective case briefs. If a request for a hearing is made, parties will be notified of the time and date for the hearing.[20]

Assessment Rates

Consistent with section 751(a)(1) of the Act and 19 CFR 351.212(b)(2), upon issuance of the final results, Commerce shall determine, and CBP shall assess, countervailing duties on all appropriate entries covered by this review.

For Cimtas and the companies listed in Appendix II for which the review is being rescinded, Commerce will instruct CBP to assess countervailing duties on all appropriate entries at a rate equal to the cash deposit of estimated countervailing duties required at the time of entry, or withdrawal from warehouse, for consumption, during the period January 1, 2023, through December 31, 2023, in accordance with 19 CFR 351.212(c)(1)(i). Commerce intends to issue appropriate assessment instructions to CBP no earlier than 35 days after the date of publication of this rescission in the **Federal Register**.

For HDM Çelik Boru Sanayi Ve Ticaret A.S., Commerce will instruct CBP to assess countervailing duties on all appropriate entries at the subsidy rates calculated in the final results of this review. Commerce intends to issue assessment instructions to CBP no earlier than 35 days after the date of publication of the final results of this review in the **Federal Register**. If a timely summons is filed at the U.S. Court of International Trade, the assessment instructions will direct CBP not to liquidate relevant entries until the time for parties to file a request for a statutory injunction has expired (*i.e.,* within 90 days of publication).

Cash Deposit Requirements

Pursuant to section 751(a)(2)(C) of the Act, Commerce intends to instruct CBP to collect cash deposits of estimated countervailing duties in the amount indicated above with regard to shipments of subject merchandise entered, or withdrawn from warehouse, for consumption on or after the date of publication of the final results of this review. For all non-reviewed firms, CBP will continue to collect cash deposits of estimated countervailing duties at the all-others rate or the most recent company-specific rate applicable to the company, as appropriate. These cash deposit requirements, when imposed, shall remain in effect until further notice.

Final Results of Administrative Review

Unless the deadline is extended, Commerce intends to issue the final results of this administrative review, including the results of its analysis of the issues raised in the case briefs, within 120 days of publication of these preliminary results in the **Federal Register**, pursuant to section 751(a)(3)(A) of the Act.

Notification to Interested Parties

We are issuing and publishing these preliminary results in accordance with sections 751(a)(1) and 777(i)(1) of the Act, and 19 CFR 351.221(b)(4).

Dated: September 5, 2025.

Christopher Abbott,

Deputy Assistant Secretary for Policy and Negotiations, performing the non-exclusive functions and duties of the Assistant Secretary for Enforcement and Compliance.

Appendix I

List of Topics Discussed in the Preliminary Decision Memorandum

I. Summary
II. Background
III. Scope of the *Order*
IV. Diversification of Türkiye's Economy
V. Subsidies Valuation
VI. Analysis of Programs
VII. Recommendation

Appendix II

Companies for Which All Review Requests Were Withdrawn

1. Cagil Makina San ve Tic A.S.
2. Spirally Welded Steel Pipe Inc.
3. Emek Boru Makina Sanayi ve Ticaret A.S.
4. Erciyas Celik Boru Sanayi A.S.
5. Mazlum Mangtay Boru Son. Ins. Tar. Urn. San. ve Tic. A.S.
6. Noksel Celik Boru Sanayi A.S.
7. Ozbal Celik Boru San. Tic. Ve TAAH A.S.
8. Toscelik Profil ve Sac End. A.S.[21]
9. Toscelik Spiral Boru Uretim A.S
10. Umran Celik Boru Sanayii A.S.

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[15] *See* 19 CFR 351.309.

[16] *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 Procedures*).

[17] *See* 19 CFR 351.309(c)(2).

[18] We use the term ''issue'' here to describe an argument that Commerce would normally address in a comment of the Issues and Decision Memorandum.

[19] *See APO and Service Procedures.*

[20] *See* 19 CFR 351.310(d).

[21] In English, the name Toscelik Profil ve Sac End. A.S. is Toscelik Profile and Sheet Ind. Co. *See Initiation Notice,* 89 FR at 55579.

DEPARTMENT OF COMMERCE

International Trade Administration

[C–580–888]

Certain Carbon and Alloy Steel Cut-to-Length Plate From the Republic of Korea: Preliminary Results and Partial Rescission of Countervailing Duty Administrative Review; 2023

AGENCY: Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce.

SUMMARY: The U.S. Department of Commerce (Commerce) preliminarily determines that countervailable subsidies are being provided to certain producers and exporters of certain carbon and alloy steel cut-to-length plate (CTL plate) from the Republic of Korea (Korea) during the period of review (POR) January 1, 2023, through December 31, 2023. In addition, Commerce is rescinding this review with respect to 54 companies. Interested parties are invited to comment on these preliminary results of review.

DATES: Applicable September 11, 2025.

FOR FURTHER INFORMATION CONTACT: Rachel Accorsi or Joshua Nixon, AD/CVD Operations, Office VIII, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–3149 or (202) 482–8361, respectively.

SUPPLEMENTARY INFORMATION:

Background

On May 25, 2017, Commerce published a countervailing duty (CVD) order on CTL plate from Korea.[1] On July 5, 2024, Commerce published a notice of initiation of an administrative review of the *Order*.[2] We initiated an administrative review of 56 producers/exporters of CTL plate from Korea for the POR. On July 26, 2024, Commerce selected POSCO as the sole mandatory respondent in this administrative review.[3]

On July 22, 2024, Commerce tolled certain deadlines in this administrative proceeding by seven days.[4] On December 9, 2024, Commerce tolled the deadline to issue the preliminary results in this administrative review by an additional 90 days.[5] On April 2, 2025, Commerce extended the deadline for the preliminary results of this review until September 5, 2025.[6]

For a complete description of the events that followed the initiation of this review, *see* the Preliminary Decision Memorandum.[7] A list of topics discussed in the Preliminary Decision Memorandum is included at Appendix I. 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.*

Scope of the Order

The merchandise covered by the *Order* is CTL plate. For a complete description of the scope of the *Order, see* the Preliminary Decision Memorandum.

Rescission of Administrative Review, in Part

It is Commerce's practice to rescind an administrative review of a CVD order, pursuant to 19 CFR 351.213(d)(3), when there are no reviewable entries of subject merchandise during the POR for which liquidation is suspended.[8] Normally, upon completion of an administrative review, the suspended entries are liquidated at the CVD assessment rate calculated for the review period.[9] Therefore, for an administrative review of a company to be conducted, there must be a reviewable, suspended entry that Commerce can instruct CBP to liquidate at the CVD assessment rate calculated for the POR.[10] On August 23, 2024, we released a memorandum notifying interested parties that, based on our examination of the results of the CBP data query, we intended to rescind the administrative review for certain companies for which the data show no reviewable entries of subject merchandise during the POR, and requested comments.[11] No interested parties provided comments.

According to the CBP import data, 54 companies under review did not have reviewable entries of subject merchandise during the POR for which liquidation is suspended.[12] In the absence of any evidence of shipments placed on the record, pursuant to 19 CFR 351.213(d)(3), we are rescinding the administrative review of these companies.

Methodology

Commerce is conducting this administrative review in accordance with section 751(a)(1)(A) of the Tariff Act of 1930, as amended (the Act). For each of the subsidy programs found countervailable, we preliminarily determine that there is a subsidy, *i.e.,* a financial contribution by an ''authority'' that confers a benefit to the recipient, and that the subsidy is specific.[13] For a full description of the methodology underlying our preliminary results, *see* the Preliminary Decision Memorandum.

Preliminary Results of Review

In accordance with 19 CFR 351.221(b)(4)(i), we preliminarily calculated the following net countervailable subsidy rate for the period January 1, 2023, through December 31, 2023:

Company	Subsidy rate (percent *ad valorem*)
POSCO Co., Ltd.[14]	4.31

Disclosure

Commerce intends to disclose its calculations and analysis performed to

[1] *See Certain Carbon and Alloy Steel Cut-to-Length Plate from the Republic of Korea: Countervailing Duty Order,* 82 FR 24103 (May 25, 2017) (*Order*).

[2] *See Initiation of Antidumping and Countervailing Duty Administrative Reviews,* 89 FR 55567 (July 5, 2024) (*Initiation Notice*).

[3] *See* Memorandum, ''Respondent Selection,'' dated July 26, 2024.

[4] *See* Memorandum, ''Tolling of Deadlines for Antidumping and Countervailing Duty Proceedings,'' dated July 22, 2024.

[5] *See* Memorandum, ''Tolling of Deadlines for Antidumping and Countervailing Duty Proceedings,'' dated December 9, 2024.

[6] *See* Memorandum, ''Extension of Deadline for Preliminary Results of Countervailing Duty Administrative Review,'' dated April 2, 2025.

[7] *See* Memorandum, ''Decision Memorandum for the Preliminary Results of the Countervailing Duty Administrative Review of Certain Carbon and Alloy Steel Cut-to-Length Plate from the Republic of Korea; 2023,'' dated concurrently with, and hereby adopted by, this notice (Preliminary Decision Memorandum).

[8] *See, e.g., Lightweight Thermal Paper from the People's Republic of China: Notice of Rescission of Countervailing Duty Administrative Review; 2015,* 82 FR 14349 (March 20, 2017); *see also Circular Welded Carbon Quality Steel Pipe from the People's Republic of China: Rescission of Countervailing Duty Administrative Review; 2017,* 84 FR 14650 (April 11, 2019).

[9] *See* 19 CFR 351.212(b)(2).

[10] *See* 19 CFR 351.213(d)(3).

[11] *See* Memorandum, ''Notice of Intent to Rescind Review, in Part,'' dated August 23, 2024 (Intent to Rescind Memo) at Attachment 1.

[12] *See* Appendix II.

[13] *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.

[14] As discussed in the Preliminary Decision Memorandum, Commerce preliminarily finds the following companies to be cross-owned with POSCO Co., Ltd.: POSCO Holdings Inc.; POSCO Future M Co., Ltd. ; POSCO Mobility Solution Co., Ltd.; POSCO M-Tech Co., Ltd.; and POSCO Nippon Steel RHF Joint Venture Co., Ltd. The subsidy rate applies to all cross-owned companies. We note that

interested parties for these preliminary results within five days of any public announcement or, if there is no public announcement, within five days of the date of publication of this notice in accordance with 19 CFR 351.224(b).

Public Comment

Case briefs or other written comments may be submitted to the Assistant Secretary for Enforcement and Compliance. A timeline for the submission of case briefs and written comments will be provided to interested parties at a later date. 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.[15] Interested parties who submit case briefs or rebuttal briefs in this proceeding must submit: (1) a table of contents listing each issue; and (2) a table of authorities.[16]

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 briefs that should be limited to five pages total, including footnotes. In this review, we instead request that interested parties provide at the beginning of their briefs a public, executive summary for each issue raised in their briefs.[17] 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 results in this administrative review. 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).[18]

Pursuant to 19 CFR 351.310(c), interested parties who wish to request a hearing must submit a written request to the Assistant Secretary for Enforcement and Compliance, filed electronically via ACCESS. Requests should contain: (1) the party's name, address, and telephone number; (2) the number of participants and whether any of the participants are foreign nationals; and (3) a list of issues to be discussed. Issues raised in the hearing will be limited to those raised in the respective case briefs. An electronically filed hearing request must be received successfully in its entirety by Commerce's electronic records system, ACCESS, by 5 p.m. Eastern Time within 30 days after the date of publication of this notice.

Final Results

Unless otherwise extended, we intend to issue the final results of this administrative review, which will include the results of our analysis of the issues raised in the case briefs, within 120 days of publication of these preliminary results in the **Federal Register**, pursuant to section 751(a)(3)(A) of the Act and 19 CFR 351.213(h).

Assessment Rates

In accordance with 19 CFR 351.221(b)(4)(i), we preliminarily assigned subsidy rates in the amounts shown above for the producers/exporters shown above. Upon completion of the administrative review, consistent with section 751(a)(1) of the Act and 19 CFR 351.212(b)(2), Commerce shall determine, and CBP shall assess, countervailing duties on all appropriate entries covered by this review, for the above-listed companies.

For the companies for which this review is rescinded, Commerce will instruct CBP to assess countervailing duties on all appropriate entries at a rate equal to the cash deposit of estimated countervailing duties required at the time of entry, or withdrawal from warehouse, for consumption, during the period January 1, 2023, through December 31, 2023, in accordance with 19 CFR 351.212(c)(l)(i). We intend to issue assessment instructions to CBP no earlier than 35 days after the date of publication of this notice in the **Federal Register**.

For the companies remaining in the review, we intend to issue assessment instructions to CBP no earlier than 35 days after the date of publication of the final results of this review in the **Federal Register**. If a timely summons is filed at the U.S. Court of International Trade, the assessment instructions will direct CBP not to liquidate relevant entries until the time for parties to file a request for a statutory injunction has expired (*i.e.,* within 90 days of publication).

Cash Deposit Requirements

In accordance with section 751(a)(2)(C) of the Act, Commerce intends, upon publication of the final results, to instruct CBP to collect cash deposits of estimated countervailing duties in the amounts shown for the companies listed above on shipments of subject merchandise entered, or withdrawn from warehouse, for consumption on or after the date of publication of the final results of this administrative review, except, where the rate calculated in the final results is zero or *de minimis,* no cash deposit will be required. For all non-reviewed firms, we will instruct CBP to continue to collect cash deposits at the most recent company-specific or all-others rate applicable to the company. These cash deposit requirements, when imposed, shall remain in effect until further notice.

Notification to Interested Parties

These preliminary results of review are issued and published in accordance with sections 751(a)(1) and 777(i)(1) of the Act, and 19 CFR 351.213(d)(4) and 351.221(b)(4).

Dated: September 5, 2025.

Christopher Abbott,

Deputy Assistant Secretary for Policy and Negotiations, performing the non-exclusive functions and duties of the Assistant Secretary for Enforcement and Compliance.

Appendix I

List of Topics Discussed in the Preliminary Decision Memorandum

I. Summary
II. Background
III. Scope of the *Order*
IV. Diversification of Korea's Economy
V. Subsidies Valuation Information
VI. Benchmarks and Interest Rates
VII. Analysis of Programs
VIII. Recommendation

Appendix II

Companies for Which Commerce Is Rescinding the Review

1. Ajin Industrial Co., Ltd.
2. BDP International
3. Blue Track Equipment
4. Boxco
5. Boxco, Inc.
6. Bukook Steel Co., Ltd.
7. Buma CE Co., Ltd.
8. China Chengdu International Techno-Economic Cooperation Co., Ltd.

POSCO has an affiliated trading company through which it exported certain subject merchandise during the POR, POSCO International (aka POSCO International Corporation). POSCO International was not selected as a mandatory respondent, but was examined in the context of POSCO. Therefore, there is not an established CVD rate for POSCO International; POSCO International's subsidies are accounted for in POSCO's total subsidy rate. Instead, entries of subject merchandise exported by POSCO International will receive the rate of the producer listed on the U.S. Customs and Border Protection (CBP) entry form. Thus, the subsidy rate applied to POSCO and POSCO's cross-owned affiliates is also applied to POSCO International for entries of subject merchandise produced by POSCO.

[15] *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*).

[16] *See* 19 CFR 351.309(c)(2) and (d)(2).

[17] We use the term ''issue'' here to describe an argument that Commerce would normally address in a comment of the Issues and Decision Memorandum.

[18] *See APO and Service Final Rule.*

9. Daehan I.M. Co., Ltd.
10. Daehan Tex Co., Ltd.
11. Daeik Eng Co. Ltd.
12. Daelim Industrial Co., Ltd.
13. Daesam Industrial Co., Ltd.
14. Daesin Lighting Co., Ltd.
15. Daewoo International Corp.
16. Dong Yang Steel Pipe
17. DKC
18. DK Corporation
19. DK Dongshin Co., Ltd.
20. Dongbu Steel Co., Ltd.
21. Dongkuk Industries Co., Ltd.
22. Dongkuk Steel Mill Co., Ltd.
23. EAE Automotive Equipment
24. EEW KHPC Co., Ltd.
25. Eplus Expo Inc.
26. GS Global Corp.
27. Haem Co., Ltd.
28. Han Young Industries
29. Hyeon Dae Jong Hap Gong Gu Co. Ltd.
30. Hyosung Corp.
31. Hyundai Steel Co.
32. Jinmyung Frictech Co., Ltd.
33. Khana Marine Ltd.
34. Kindus Inc.
35. Korean Iron and Steel Co., Ltd.
36. Kyoungil Precision Co., Ltd.
37. LG Electronics Inc.
38. Menics
39. Qian'an Rentai Metal Products Co., Ltd.
40. Samjin Lnd Co., Ltd.
41. Samsun C&T Corp.
42. Samsung
43. Samsung Electronics Co., Ltd
44. Seogio O/A
45. Shinko
46. Shipping Imperial Co., Ltd.
47. Sinchang Eng Co., Ltd.
48. SK Networks Co., Ltd.
49. SNP Ltd.
50. Steel N People Ltd.
51. Summit Industry
52. Sungjin Co., Ltd.
53. Wonbang Tech Co., Ltd.
54. Young Sun Steel

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DEPARTMENT OF COMMERCE

International Trade Administration

[A–570–180, C–570–181]

Hexamethylenetetramine From the People's Republic of China: Antidumping Order and Countervailing Duty Order

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

SUMMARY: Based on affirmative final determinations by the U.S. Department of Commerce (Commerce) and the U.S. International Trade Commission (ITC), Commerce is issuing antidumping duty (AD) and countervailing duty (CVD) orders on hexamethylenetetramine (hexamine) from the People's Republic of China (China).

DATES: Applicable September 11, 2025.

FOR FURTHER INFORMATION CONTACT: Thomas Cloyd (AD) or Eliza DeLong (CVD), AD/CVD Operations, Offices VII and V, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–1246 and (202) 482–3878, respectively.

SUPPLEMENTARY INFORMATION:

Background

In accordance with sections 705(d), 735(d), and 777(i) of the Tariff Act of 1930, as amended (the Act), on July 18, 2025, Commerce published its affirmative final determinations of sales at less than fair value (LTFV) of hexamine from China,[1] and its affirmative final determination that countervailable subsidies are being provided to producers and exporters of hexamine from China.[2]

On September 3, 2025 pursuant to sections 705(d) and 735(d) of the Act, the ITC notified Commerce of its final affirmative determinations that an industry in the United States is materially injured by reason of dumped imports of hexamine from China, and subsidized imports of hexamine from China, within the meaning of sections 705(b)(1)(A)(i) and 735(b)(1)(A)(i) of the Act.[3]

Scope of the Orders

The product covered by these orders is hexamine from China. For a complete description of the scope of the orders, *see* the Appendix to this notice.

AD Order

On September 3, 2025, in accordance with section 735(d) of the Act, the ITC notified Commerce of its final determination that an industry in the United States is materially injured within the meaning of section 735(b)(1)(A)(i) of the Act by reason of imports of hexamine from China that are sold in the United States at LTFV.[4] Therefore, in accordance with section 735(c)(2) and 736 of the Act, Commerce is issuing this AD order. Because the ITC determined that imports of hexamine from China are materially injuring a U.S. industry, unliquidated entries of such merchandise from China, entered or withdrawn from warehouse for consumption, are subject to the assessment of antidumping duties.

Therefore, in accordance with section 736(a)(1) of the Act, Commerce will direct U.S. Customs and Border Protection (CBP) to assess, upon further instruction by Commerce, antidumping duties equal to the amount by which the normal value of the merchandise exceeds the export price (or constructed export price) of the merchandise on all relevant entries of hexamine from China. Antidumping duties will be assessed on unliquidated entries of hexamine entered, or withdrawn from warehouse, for consumption on or after May 6, 2025, the date of publication of the *LTFV Preliminary Determination*,[5] but will not include entries occurring after the expiration of the provisional measures period and before publication of the ITC's final injury determination, as further described below.

Continuation of Suspension of Liquidation and Cash Deposits—AD

Except as noted in the ''Provisional Measures—AD'' section of this notice, Commerce intends to instruct CBP to continue to suspend liquidation on all relevant entries of hexamine from China, in accordance with section 736 of the Act. These instructions suspending liquidation will remain in effect until further notice.

Commerce also intends to instruct CBP to require cash deposits equal to the estimated weighted-average dumping margin indicated in the table below, adjusted by the relevant subsidy offsets. Accordingly, effective on the date of publication in the **Federal Register** of the notice of the ITC's final affirmative injury determination, CBP must require, at the same time as importers would normally deposit estimated customs duties on subject merchandise, a cash deposit equal to the rates listed in the table below.

Estimated Weighted-Average Dumping Margins

The estimated weighted-average dumping margin is as follows:

[1] *See Hexamethylenetetramine from the People's Republic of China: Final Affirmative Determination of Sales at Less-Than-Fair-Value,* 90 FR 33922 (July 18, 2025) (*LTFV Final Determination*).

[2] *See Hexamethylenetetramine from the People's Republic of China: Final Affirmative Countervailing Duty Determination and Final Affirmative Determination,* 90 FR 33923 (July 18, 2025).

[3] *See* ITC's Letter, ''Notification of ITC Final Determinations,'' dated September 3, 2025 (ITC Notification Letter).

[4] *Id.*

[5] *See Hexamethylenetetramine from the People's Republic of China: Preliminary Affirmative Determination of Sales at Less Than Fair Value* 90 FR 19182 (May 6, 2025) (*LTFV Preliminary Determination*).

Exporter/producer	Weighted-average dumping margin (percent)	Cash deposit rate (adjusted for subsidy offsets) (percent) [6]
China-wide Entity	* 405.19	394.65

This rate is based on adverse facts available (AFA).

ProvisionalMeasures—AD

Section 733(d) of the Act states that suspension of liquidation pursuant to an affirmative preliminary determination may not remain in effect for more than four months, except where exporters representing a significant proportion of exports of the subject merchandise request that Commerce extend the four-month period to no more than six months. In the underlying investigation, Commerce published the *LTFV Preliminary Determination* on May 6, 2025. Therefore, the four-month period beginning on the date of the publication of the *LTFV Preliminary Determination* ended on September 2, 2025. Pursuant to section 737(b) of the Act, the collection of cash deposits at the rates listed above will begin on the date of publication of the ITC's final injury determinations.

Therefore, in accordance with section 733(d) of the Act, Commerce will instruct CBP to terminate the suspension of liquidation and to liquidate, without regard to antidumping duties, unliquidated entries of hexamine from China entered, or withdrawn from warehouse, for consumption on or after September 3, 2025, the first day provisional measures were no longer in effect, until and through the day preceding the date of publication of the ITC's final injury determination in the **Federal Register**. Suspension of liquidation and the collection of cash deposits will resume on the date of publication of the ITC's final determination in the **Federal Register**.

CVD Order

As stated above, based on the ITC's final determination that an industry in the United States is materially injured within the meaning of section 705(b)(1)(A)(i) of the Act by reason of subsidized imports of hexamine from China,[7] in accordance with section 705(c)(2) of the Act, Commerce is issuing this CVD order. Moreover, because the ITC determined that imports of hexamine from China are materially injuring a U.S. industry, unliquidated entries of subject merchandise from China entered, or withdrawn from warehouse, for consumption, are subject to the assessment of countervailing duties.

Therefore, in accordance with section 706(a) of the Act, Commerce intends to direct CBP to assess, upon further instructions by Commerce, countervailing duties on all relevant entries of hexamine from China, which are entered, or withdrawn from warehouse, for consumption on or after March 7, 2025, the date of publication of the *CVD Preliminary Determination,* but will not include entries occurring after the expiration of the provisional measures period and before the publication of the ITC's final injury determination under section 705(b) of the Act, as further described in the ''Provisional Measures—CVD'' section of this notice.[8]

Suspension of Liquidation and Cash Deposits—CVD

In accordance with section 706 of the Act, Commerce intends to instruct CBP to reinstitute the suspension of liquidation of hexamine from China, effective on the date of publication of the ITC's final affirmative injury determination in the **Federal Register**, and to assess, upon further instruction by Commerce, pursuant to section 706(a)(1) of the Act, countervailing duties on each entry of subject merchandise in an amount based on the net countervailable subsidy rates below. These instructions suspending liquidation will remain in effect until further notice.

Commerce also intends, pursuant to section 706(a)(1) of the Act, to instruct CBP to require cash deposits equal to the amounts as indicated below. Accordingly, effective on the date of publication of the ITC's final injury determination in the **Federal Register**, CBP must require, at the same time as importers would normally deposit estimated customs duties on this merchandise, a cash deposit equal to the rates listed in the table below. The all-others rate applies to all producers or exporters not specifically listed below, as appropriate.

Estimated Countervailing Duty Subsidy Rates

The estimated countervailing duty subsidy rates are as follows:

Company	Subsidy rate (percent *ad valorem*)
Changzhou Highassay Chemical Co	* 420.73
China Bluestar International Chemical Co., Ltd	* 420.73
Fengchen Group Co., Ltd	* 420.73
Hutubi Ruiyuantong Chemicals Co., Ltd	* 420.73
Jiangsu Guotai Guomian Trading	* 420.73
Jiaozuo Runhua Chemical Industry Co	* 420.73
Qingdao Sun Chemical Corp. Ltd	* 420.73
All Others	420.73

* This rate is based on AFA.

Provisional Measures—CVD

Section 703(d) of the Act states that the suspension of liquidation pursuant to an affirmative preliminary determination may not remain in effect for more than four months. Commerce published the *CVD Preliminary Determination* on March 7, 2025.[9] As such, the four-month period beginning on the date of the publication of the *CVD Preliminary Determination* ended on July 4, 2025.

In accordance with section 703(d) of the Act, we instructed CBP to terminate the suspension of liquidation and to liquidate, without regard to countervailing duties, unliquidated entries of hexamine from China or withdrawn from warehouse, for consumption, on or after July 5, 2024, the date on which the provisional measures expired, until and through the day preceding the date of publication of the ITC's final injury determination in the **Federal Register**. Suspension of liquidation and the collection of cash deposits will resume on the date of publication of the ITC's affirmative final injury determination in the **Federal Register**.

[6] *See LTFV Final Determination.*

[7] *See* ITC Notification Letter.

[8] *See Hexamethylenetetramine from the People's Republic of China: Preliminary Affirmative Countervailing Duty Determination and Alignment of Final Determination with Final Antidumping Duty Determination,* 90 FR 11508 (March 7, 2025) (*CVD Preliminary Determination*).

[9] *Id.*

Establishment of the Annual Inquiry Service Lists

On September 20, 2021, Commerce published the *Final Rule* in the **Federal Register**.[10] On September 27, 2021, Commerce also published the *Procedural Guidance* in the **Federal Register**.[11] The *Final Rule* and *Procedural Guidance* provide that Commerce will maintain an annual inquiry service list for each order or suspended investigation, and any interested party submitting a scope ruling application or request for circumvention inquiry shall serve a copy of the application or request on the persons on the annual inquiry service list for that order, as well as any companion order covering the same merchandise from the same country of origin.

In accordance with the *Procedural Guidance,* for orders published in the **Federal Register** after November 4, 2021, Commerce will create an annual inquiry service list segment in Commerce's online e-filing and document management system, Antidumping and Countervailing Duty Electronic Service System (ACCESS), available at *https://access.trade.gov,* within five business days of publication of the notice of the order. Each annual inquiry service list will be saved in ACCESS, under each case number, and under a specific segment type called ''AISL-Annual Inquiry Service List.'' [12]

Interested parties who wish to be added to the annual inquiry service list for an order must submit an entry of appearance to the annual inquiry service list segment for the order in ACCESS within 30 days after the date of publication of the order. For ease of administration, Commerce requests that law firms with more than one attorney representing interested parties in an order designate a lead attorney to be included on the annual inquiry service list. Commerce will finalize the annual inquiry service list within five business days thereafter. As mentioned in the *Procedural Guidance,*[13] the new annual inquiry service list will be in place until the following year, when the *Opportunity Notice* for the anniversary month of the order is published.

Commerce may update an annual inquiry service list at any time as needed based on interested parties' amendments to their entries of appearance to remove or otherwise modify their list of members and representatives, or to update contact information. Any changes or announcements pertaining to these procedures will be posted to the ACCESS website.

Special Instructions for Petitioner and Foreign Governments

In the *Final Rule,* Commerce stated that, ''after an initial request and placement on the annual inquiry service list, both petitioners and foreign governments will automatically be placed on the annual inquiry service list in the years that follow.'' [14] Accordingly, as stated above, the petitioner and the Government of China (GOC) should submit their initial entries of appearance after publication of this notice in order to appear in the first annual inquiry service lists for these orders. Pursuant to 19 CFR 351.225(n)(3), the petitioner and the GOC will not need to resubmit their entries of appearance each year to continue to be included on the annual inquiry service list. However, the petitioner and the GOC are responsible for making amendments to their entries of appearance during the annual update to the annual inquiry service list in accordance with the procedures described above.

Notification to Interested Parties

This notice constitutes the AD order with respect to hexamine from China and the CVD order with respect to hexamine from China, pursuant to sections 706(a) and 736(a) of the Act. Interested parties can find a list of AD and CVD orders currently in effect at *https://enforcement.trade.gov/stats/iastats1.html.*

These orders are published in accordance with sections 706(a) and 736(a) of the Act, and 19 CFR 351.211(b).

Dated: September 8, 2025.

Christopher Abbott,

Deputy Assistant Secretary for Policy and Negotiations, performing the non-exclusive functions and duties of the Assistant Secretary for Enforcement and Compliance.

Appendix

Scope of the Orders

The scope of these orders covers hexamine in granular form, with a particle size of 5 millimeters or less, whether stabilized or unstabilized, whether or not blended, mixed, pulverized, or grounded with other products, containing 50 percent or more hexamine by weight.

Hexamine is the common name for hexamethylene tetramine (Chemical Abstract Service #100–97–0), and is also referred to as 1,3,5,7-tetraazaadamantanemethenamine; HMT; HMTA; 1,3,5,7- tetraazatricyclo {3.3.1.13,7} decane; 1,3,5,7-tetraaza adamantane; hexamethylenamine. Hexamine has the chemical formula C6H12N4.

Granular hexamine that has been blended with other product(s) is included in this scope when the resulting mix contains 50 percent or more of hexamine by weight, regardless of whether it is blended with inert additives, co-reactants, or any additives that undergo self-condensation.

Subject merchandise includes merchandise matching the above description that has been processed in a third country, including by commingling, diluting, adding or removing additives, or performing any other processing that would not otherwise remove the merchandise from the scope of the Orders if performed in the subject country.

Merchandise covered by the scope of these orders can be classified in the Harmonized Tariff Schedule (HTSUS) of the United States under the subheading 2933.69.5000. The HTSUS subheading and Chemical Abstracts Service registry number are provided for convenience and customs purposes only; however, the written description of the scope is dispositive.

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[10] *See Regulations to Improve Administration and Enforcement of Antidumping and Countervailing Duty Laws,* 86 FR 52300 (September 20, 2021) (*Final Rule*).

[11] *See Scope Ruling Application; Annual Inquiry Service List; and Informational Sessions,* 86 FR 53205 (September 27, 2021) (*Procedural Guidance*).

[12] This segment will be combined with the ACCESS Segment Specific Information (SSI) field which will display the month in which the notice of the order or suspended investigation was published in the **Federal Register**, also known as the anniversary month. For example, for an order under case number A–000–000 that was published in the **Federal Register** in January, the relevant segment and SSI combination will appear in ACCESS as ''AISL–January Anniversary.'' Note that there will be only one annual inquiry service list segment per case number, and the anniversary month will be pre-populated in ACCESS.

[13] *See Procedural Guidance,* 86 FR at 53206.

[14] *See Final Rule,* 86 FR at 52335.

DEPARTMENT OF COMMERCE

International Trade Administration

[A–570–126]

Non-Refillable Steel Cylinders From the People's Republic of China: Preliminary Results and Partial Rescission of the Antidumping Duty Administrative Review; 2023–2024

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

SUMMARY: The U.S. Department of Commerce (Commerce) preliminarily determines that Wuyi Xilinde Machinery Manufacture Co., Ltd. (Wuyi Xilinde) made sales of non-refillable steel cylinders (non-refillable cylinders)

from the People's Republic of China (China) at less than normal value (NV) during the period of review (POR) May 1, 2023, through April 30, 2024. Additionally, Commerce intends to rescind the review, in part, with respect to three companies. Interested parties are invited to comment on the preliminary results of this review.

DATES: Applicable September 11, 2025.

FOR FURTHER INFORMATION CONTACT: Matthew Palmer, 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) 482–1678.

SUPPLEMENTARY INFORMATION:

Background

On May 11, 2021, Commerce published the *Order* on non-refillable cylinders from China.[1] On July 5, 2024, pursuant to timely requests for review, Commerce published the notice of initiation of the third administrative review of the *Order.*[2] Commerce initiated this administrative review covering the following four exporters of subject merchandise: Ningbo Eagle Machinery & Technology Co., Ltd. (Ningbo Eagle); Sanjiang Kai Yuan Co., Ltd. (Sanjiang Kai Yuan); Wuyi Xilinde Machinery Manufacture Co., Ltd. (Wuyi Xilinde); and Zhejiang Kin-Shine Technology Co., Ltd. (Zhejiang Kin-Shine).[3]

On July 22, 2024, Commerce tolled certain deadlines in this administrative proceeding by seven days.[4] On December 9, 2024, Commerce tolled certain deadlines in this administrative review by 90 days.[5] On April 22, 2025, Commerce extended the deadline for issuing the preliminary results of this administrative review by 61 days.[6] On June 11, 2025, Commerce issued a second extension of the preliminary deadline by 59 days.[7] Accordingly, the deadline for these preliminary results of review is now September 5, 2025.

For a complete description of the events that followed the initiation of this administrative review, *see* the Preliminary Decision Memorandum.[8] A list of topics included in the Preliminary Decision Memorandum is included as an appendix 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 found at *https://access.trade.gov/public/FRNoticesListLayout.aspx.*

Scope of the Order

The merchandise covered by this *Order* is certain seamed (welded or brazed), non-refillable steel cylinders meeting the requirements of, or produced to meet the requirements of, U.S. Department of Transportation (USDOT) Specification 39, TransportCanada Specification 39M, or United Nations pressure receptacle standard ISO 11118. A full description of the scope of the *Order* is provided in the Preliminary Decision Memorandum.[9]

Partial Rescission of Review

As noted above, we initiated this review with respect to four companies.[10] During the course of the review, we selected one mandatory respondent, *i.e.,* Wuyi Xilinde. Consequently, there are three companies upon which a review was requested, and which were not selected for individual examination.

Pursuant to 19 CFR 351.213(d)(3), Commerce will rescind an administrative review when there are no reviewable suspended entries. Based on our analysis of the U.S. Customs and Border Protection (CBP) information, the three remaining companies listed in the *Initiation Notice* (*i.e.,* Ningbo Eagle, Sanjiang Kai Yuan, and Zhejiang Kin-Shin) had no entries of subject merchandise during the POR.[11]

On July 12, 2024, Commerce notified interested parties of its intent to rescind the review with respect to the companies which had no reviewable suspended entries of subject merchandise during the POR.[12] Additionally, Sanjiang Kai Yuan notified Commerce that it made no shipments of the subject merchandise to the United States during the POR.[13] No parties commented on our intent to rescind.[14] As such, Commerce is rescinding this review with respect to Ningbo Eagle, Sanjiang Kai Yuan, and Zhejiang Kin-Shine in accordance with 19 CFR 351.213(d)(3).

The China-Wide Entity

Under Commerce's policy regarding the conditional review of the China-wide entity,[15] the China-wide entity will not be under review unless a party specifically requests, or Commerce self-initiates, a review of the entity. Because no party requested a review of the China-wide entity in this review, the entity is not under review, and the entity's rate (*i.e.,* 112.21 percent) is not subject to change.

Methodology

Commerce is conducting this administrative review in accordance with section 751(a)(1)(B) of the Tariff Act of 1930, as amended (the Act). We calculated export prices in accordance with section 772 of the Act. Because Commerce has determined that China is a non-market economy country within the meaning of section 771(18) of the Act, Commerce calculated NV in accordance with section 773(c) of the Act. For a full description of the methodology underlying the preliminary results of this review, *see* the Preliminary Decision Memorandum.

Preliminary Results of Review

We preliminarily determine that the following estimated weighted-average dumping margin exists for the period May 1, 2023, through April 30, 2024:

[1] *See Certain Non-Refillable Steel Cylinders from the People's Republic of China: Amended Final Antidumping Duty Determination and Antidumping Duty and Countervailing Duty Orders, 86 FR 25839* (*May 11, 2021*) (*Order*).

[2] *See Initiation of Antidumping and Countervailing Duty Administrative Reviews,* 89 FR 55567 (July 5, 2024) (*Initiation Notice*).

[3] *Id.,* 89 FR 55574.

[4] *See* Memorandum, ''Tolling of Deadlines for Antidumping and Countervailing Duty Proceedings,'' dated July 22, 2024.

[5] *See* Memorandum, ''Tolling of Deadlines for Antidumping and Countervailing Duty Proceedings,'' dated December 9, 2024.

[6] *See* Memorandum, ''Extension of Deadline for Preliminary Results of Antidumping Duty Administrative Review,'' dated April 22, 2025.

[7] *See* Memorandum, ''Second Extension of Deadline for Preliminary Results of Antidumping Duty Administrative Review,'' dated June 11, 2025.

[8] *See* Memorandum, ''Decision Memorandum for the Preliminary Results of the Antidumping Duty Administrative Review of Non-Refillable Steel Cylinders from the People's Republic of China, 2023–2024,'' dated concurrently with, and hereby adopted by, this notice (Preliminary Decision Memorandum).

[9] *Id.*

[10] *See Initiation Notice.*

[11] *Id.,* 89 FR at 55574; *see also* Memorandum, ''Release of U.S. Customs and Border Protection Data and Notice of Intent to Rescind Review, in Part,'' dated July 12, 2024 (CBP Data Memorandum).

[12] *See* CBP Data Memorandum.

[13] *See* Sanjiang Kai Yuan's No Shipment Certification.

[14] *See* CBP Data Memorandum.

[15] *See Antidumping Proceedings: Announcement of Change in Department Practice for Respondent Selection in Antidumping Duty Proceedings and Conditional Review of the Nonmarket Economy Entity in NME Antidumping Duty Proceedings,* 78 FR 65963 (November 4, 2013).

Exporter	Weighted-average dumping margin (percent)
Wuyi Xilinde Machinery Manufacture Co., Ltd	71.89

Disclosure

Commerce intends to disclose the calculations performed in connection with these preliminary results to interested parties within five days of any public announcement, or, if there is no public announcement, within five days of the date of publication of this notice in the **Federal Register** in accordance with 19 CFR 351.224(b).

Verification

Pursuant to 19 CFR 351.307(b)(1)(iv) and (v), Commerce intends to verify the information submitted by Wuyi Xilinde prior to issuing the final results of this review.

Public Comment

Upon completion of verification and issuance of the verification report, Commerce will notify parties of the schedule for submitting case briefs or other written comments regarding the preliminary results and verification findings for consideration in the final results of review.[16] Rebuttal briefs, limited to issues raised in case briefs, may be submitted no later than five days after the deadline for case briefs.[17] Pursuant to 19 CFR 351.309(c)(2) and (d)(2), parties who submit case or rebuttal briefs in this review are encouraged to submit with each argument: (1) a statement of the issue; (2) a brief summary of the argument; and (3) a table of authorities.

As provided to 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 administrative review, we instead request that interested parties provide at the beginning of their briefs a public, executive summary for each issue raised in their briefs.[18] 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 public executive summaries as the basis of the comment summaries included in the issues and decision memorandum that will accompany the final results in this administrative review. We request that interested parties include footnotes for relevant citations in the public executive summary of each issue. Case and rebuttal briefs should be filed using ACCESS.[19] Note that Commerce has amended certain of its requirements pertaining to the service of documents in 19 CFR 351.303(f).[20]

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, filed electronically via Commerce's electric records system, ACCESS. An electronically-filed request must be received successfully in its entirety by 5:00 p.m. Eastern Time within 30 days after the date of publication of this notice.[21] Requests should contain the party's name, address, and telephone number, the number of participants, whether any participant is a foreign national, and 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.[22] Parties should confirm by telephone the date and time of the hearing two days before the scheduled date.

Unless otherwise extended, we intend to issue the final results of this administrative review, which will include the results of our analysis of the issues raised in the case and rebuttal briefs, within 120 days of publication of these preliminary results in the **Federal Register,** pursuant to section 751(a)(3)(A) of the Act and 19 CFR 351.213(h).

Assessment Rates

Upon issuance of the final results, Commerce will determine, and CBP shall assess, antidumping duties on all appropriate entries covered by this review, in accordance with 19 CFR 351.212(b)(1). Commerce intends to issue assessment instructions to CBP no earlier than 35 days after the publication of the final results of this review in the **Federal Register**. If a timely summons is filed at the U.S. Court of International Trade, the assessment instructions will direct CBP not to liquidate relevant entries until the time for parties to file a request for a statutory injunction has expired (*i.e.,* within 90 days of publication).

We will calculate importer/customer-specific assessment rates equal to the ratio of the total amount of dumping calculated for examined sales to a particular importer/customer to the total entered value of those sales, in accordance with 19 CFR 351.212(b)(1).[23] Where the respondent reported reliable entered values, Commerce intends to calculate importer/customer-specific *ad valorem* assessment rates by dividing the total amount of dumping calculated for all reviewed U.S. sales to the importer/customer by the total entered value of the merchandise sold to the importer/customer.[24] Where the respondents did not report entered values, Commerce will calculate importer/customer-specific assessment rates by dividing the total amount of dumping calculated for all reviewed U.S. sales to the importer/customer by the total quantity of those sales. Commerce will calculate an estimated *ad valorem* importer/customer-specific assessment rate to determine whether the per-unit assessment rate is *de minimis;* however, Commerce will use the per-unit assessment rate where entered values were not reported.[25] Where an importer/customer-specific *ad valorem* assessment rate is not zero or *de minimis,* Commerce will instruct CBP to collect the appropriate duties at the time of liquidation. Where either the respondents' *ad valorem* weighted-average dumping margin is zero or *de minimis,* or an importer/customer-specific *ad valorem* assessment rate is zero or *de minimis,*[26] Commerce will instruct CBP to liquidate the appropriate entries without regard to antidumping duties.

Pursuant to a refinement to Commerce's assessment practice, for sales that were not reported in the U.S. sales database submitted by a respondent individually examined during this review, Commerce will instruct CBP to liquidate the entry of such merchandise at the dumping assessment rate assigned to the China-wide entity.[27]

[16] *See* 19 CFR 351.309(c).

[17] *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*).

[18] We use the term ''issue'' here to describe an argument that Commerce would normally address in a comment of the Issues and Decision Memorandum.

[19] *See, generally,* 19 CFR 351.303.

[20] *See APO and Service Final Rule.*

[21] *See* 19 CFR 351.310(c).

[22] *See* 19 CFR 351.310(d).

[23] In these preliminary results, Commerce applied the assessment rate calculation method adopted in *Antidumping Proceedings: Calculation of the Weighted-Average Dumping Margin and Assessment Rate in Certain Antidumping Proceedings: Final Modification,* 77 FR 8101 (February 14, 2012).

[24] *See* 19 CFR 351.212(b)(1).

[25] *Id.*

[26] *See* 19 CFR 351.106(c)(2).

[27] For a full discussion of this practice, *see Non-Market Economy Antidumping Proceedings:*

For the companies for which this review is rescinded with these preliminary results, we will instruct CBP to assess antidumping duties on all appropriate entries at a rate equal to the cash deposit of estimated antidumping duties required at the time of entry, or withdrawal from warehouse, for consumption, during the POR, in accordance with 19 CFR 351.212(c)(l)(i). For the companies rescinded from review, Commerce intends to issue assessment instructions to CBP 35 days after the publication of this notice in the **Federal Register**.

In accordance with section 751(a)(2)(C) of the Act, the final results of this review shall be the basis for the assessment of antidumping duties on entries of merchandise covered by the final results of this review and for future deposits of estimated antidumping duties, where applicable.

Cash Deposit Requirements

The following cash deposit requirements will be effective upon publication of the final results of this review for all shipments of the subject merchandise from China entered, or withdrawn from warehouse, for consumption on or after the date of publication of the notice of the final results of administrative review in the **Federal Register**, as provided for by section 751(a)(2)(C) of the Act: (1) for the companies that have a separate rate, the cash deposit rate will be that rate established in the final results of this review (except, if the rate is *de minimis,* then a cash deposit rate of zero will be required); (2) for previously investigated or reviewed Chinese and non-Chinese exporters for which a review was not requested and that received a separate rate in a prior segment of this proceeding, the cash deposit rate will continue to be the existing exporter-specific rate; (3) for all Chinese exporters of subject merchandise that have not been found to be entitled to a separate rate, the cash deposit rate will be the rate for the China-wide entity (*i.e.,* 112.21 percent); and (4) for all non-Chinese exporters of subject merchandise that have not received their own rate, the cash deposit rate will be the rate applicable to the Chinese exporter that supplied that non-Chinese exporter. These cash deposit requirements, when imposed, shall remain in effect until further notice.

Final Results of Review

Unless otherwise extended, Commerce intends to issue the final results of this administrative review, which will include the results of its analysis of issues raised in case and rebuttal briefs, within 120 days of these preliminary results of review in the **Federal Register**, pursuant to 751(a)(3)(A) of the Act.

Notification to Importers

This notice also serves as a preliminary reminder to importers of their responsibility under 19 CFR 351.402(f)(2) to file a certificate regarding the reimbursement of antidumping and/or countervailing duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in Commerce's presumption that reimbursement of antidumping and/or countervailing duties occurred and the subsequent assessment of double antidumping duties, and/or an increase in the amount of antidumping duties by the amount of the countervailing duties.

Notification to Interested Parties

We are issuing and publishing these preliminary results in accordance with sections 751(a)(1) and 777(i)(1) of the Act, and 19 CFR 351.221(b)(4).

Dated: September 5, 2025.

Christopher Abbott,

Deputy Assistant Secretary for Policy and Negotiations, performing the non-exclusive functions and duties of the Assistant Secretary for Enforcement and Compliance.

Appendix

List of Topics Discussed in the Preliminary Decision Memorandum

I. Summary
II. Background
III. Scope of the *Order*
IV. Partial Recission of Administrative Review
V. Discussion of the Methodology
VI. Currency Conversion
VII. Recommendation

[FR Doc. 2025–17462 Filed 9–10–25; 8:45 am]

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Assessment of Antidumping Duties, 76 FR 65694 (October 24, 2011).

DEPARTMENT OF COMMERCE

International Trade Administration

[A–520–804]

Certain Steel Nails From the United Arab Emirates: Preliminary Results and Partial Rescission of Antidumping Duty Administrative Review; 2023–2024

AGENCY: Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce.

SUMMARY: The U.S. Department of Commerce (Commerce) preliminarily finds that sales of certain steel nails (steel nails) from the United Arab Emirates (UAE) were made at less than normal value (NV). The period of review (POR) is May 1, 2023, through April 30, 2024.

Additionally, Commerce is rescinding this administrative review, in part, with respect to 19 companies that had no entries of the subject merchandise during the POR. We invite interested parties to comment on these preliminary results.

DATES: Applicable September 11, 2025.

FOR FURTHER INFORMATION CONTACT: Robert Galantucci or Olivia Woolverton, AD/CVD Operations, Office V, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–2923 or (202) 482–7452, respectively.

SUPPLEMENTARY INFORMATION:

Background

On May 10, 2012, Commerce published the antidumping duty (AD) order on steel nails from the UAE.[1] On July 5, 2024, Commerce initiated an administrative review of the *Order,* in accordance with section 751(a) of the Tariff Act of 1930, as amended (the Act), with respect to 21 producers/exporters of the subject merchandise.[2] Commerce selected two mandatory respondents for individual examination: Master Nails and Pins Manufacturing, LLC (Master Nails)/Middle East Manufacturing Steel LLC (MEM) (collectively, Master[3]); and Rich Well Steel Industries LLC (Rich Well).[4] On July 22, 2024, Commerce tolled deadline in this administrative review by seven days.[5] On December 9, 2024, Commerce tolled deadlines in this administrative review by an additional 90 days.[6] On April 14, 2025, Commerce

[1] *See Certain Steel Nails from the United Arab Emirates: Amended Final Determination of Sales at Less Than Fair Value and Antidumping Duty Order*, 77 FR 27421 (May 10, 2012) (*Order*).

[2] *See Initiation of Antidumping and Countervailing Duty Administrative Reviews,* 89 FR 55567 (July 5, 2024).

[3] Commerce previously determined that Master Nails and MEM comprise a single entity. *See Certain Steel Nails from the United Arab Emirates: Final Results of Antidumping Duty Administrative Review; 2020–2021,* 87 FR 61566 (October 12, 2022).

[4] *See* Memorandum, ''Respondent Selection,'' dated September 13, 2024.

[5] *See* Memorandum, ''Tolling of Deadlines for Antidumping and Countervailing Duty Proceedings,'' dated July 22, 2024.

[6] *See* Memorandum, ''Tolling of Deadlines for Antidumping and Countervailing Duty Proceedings,'' dated December 9, 2024.

extended the deadline for the preliminary results of this administrative review until September 5, 2025.[7] For a complete description of the events following the initiation of this administrative review, *see* the Preliminary Decision Memorandum.[8]

A list of topics included in the Preliminary Decision Memorandum is included as Appendix I 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 is available at *https://access.trade.gov/public/FRNoticesListLayout.aspx.*

Scope of the Order

The products covered by the *Order* are steel nails from the UAE. For a full description of the scope, *see* the Preliminary Decision Memorandum.

Rescission of Administrative Review, In Part

Pursuant to 19 CFR 351.213(d)(3), when there are no reviewable entries of subject merchandise during the POR subject to the AD order for which liquidation is suspended, Commerce may rescind an administrative review, in whole or only with respect to a particular exporter or producer.[9] Normally, at the end of the administrative review, any suspended entries are liquidated at the assessment rate computed for the review period.[10] Therefore, for an administrative review to be conducted, there must be a reviewable, suspended entry to be liquidated at the newly calculated assessment rate.

On September 16, 2024, Commerce placed on the record a notice of its intent to rescind this review with respect to 19 companies due to lack of entries.[11] No party commented on the notice of intent to rescind. Thus, in accordance with 19 CFR 351.213(d)(4), Commerce is rescinding this review with respect to these 19 companies.[12]

Methodology

Commerce is conducting this review in accordance with section 751(a) of the Act. We calculated export price in accordance with section 772 of the Act. We calculated NV in accordance with section 773 of the Act. In addition, Commerce relied on total adverse facts available (AFA) pursuant to section 776(a)–(b) of the Act for Master, due to the company's failure to participate in this review. For a full description of the methodology underlying these preliminary results, *see* the Preliminary Decision Memorandum.

Preliminary Results of Review

We preliminarily determine that the following weighted-average dumping margins exist for the period May 1, 2023, through April 30, 2024:

Exporter/producer	Weighted-average dumping margin (percent)
Master Nails and Pins Manufacturing, LLC/Middle East Manufacturing Steel, LLC	184.41
Rich Well Steel Industries LLC	2.31

Disclosure

We intend to disclose the calculations performed to parties within five days after public announcement of the preliminary results or, if there is no public announcement, within five days of the date of publication of this notice.[13]

Public Comment

Case briefs or other written comments may be submitted to the Assistant Secretary for Enforcement and Compliance. Pursuant to 19 CFR 351.309(c)(1)(ii), we have modified the deadline for interested parties to submit case briefs to Commerce to no later than 21 days after the date of the publication of this notice.[14] 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.[15] 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.[16]

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 review, we instead request that interested parties provide at the beginning of their briefs a public executive summary for each issue raised in their briefs.[17] Further, we request that interested parties limit their public executive summary of each issue to no more than 450 words, not including citations. We intend to use the public executive summaries as the basis of the comment summaries included in the issues and decision memorandum that will accompany the final results in this administrative review. We request that interested parties include footnotes for relevant citations in the public 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).[18]

Interested parties who wish to request a hearing must submit a written request to the Assistant Secretary for Enforcement and Compliance, filed electronically via ACCESS.[19] 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 issues to be discussed. Issues raised in the hearing will be limited to those raised in case and rebuttal briefs.[20] If a request for a hearing is made, Commerce intends to hold the hearing at a time and date to be determined. A hearing request must be filed electronically using ACCESS and received in its entirety by 5:00 p.m. Eastern Time within 30 days after the publication of this notice.

Assessment Rates

Upon completion of this administrative review, Commerce shall determine, and U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries covered by this review.[21] Pursuant to 19 CFR 351.212(b)(1), if the

[7] *See* Memorandum, ''Extension of Deadline for Preliminary Results of Antidumping Duty Administrative Review,'' dated April 14, 2025.

[8] *See* Memorandum, ''Decision Memorandum for the Preliminary Results of the Administrative Review of the Antidumping Duty Order on Certain Steel Nails from the United Arab Emirates; 2023–2024,'' dated concurrently with, and hereby adopted by, this notice (Preliminary Decision Memorandum).

[9] *See, e.g., Forged Steel Fittings from Taiwan: Rescission of Antidumping Duty Administrative Review; 2018–2019,* 85 FR 71317, 71318 (November 9, 2020); *see also Certain Circular Welded Non-Alloy Steel Pipe from Mexico: Rescission of Antidumping Duty Administrative Review; 2016–2017,* 83 FR 54084 (October 26, 2018).

[10] *See* 19 CFR 351.212(b)(1).

[11] *See* Memorandum, ''Notice of Intent to Rescind Review, In Part,'' dated September 16, 2024.

[12] *See* Appendix II.

[13] *See* 19 CFR 351.224(b).

[14] *See* 19 CFR 351.309.

[15] *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*).

[16] *See* 19 CFR 351.309(c)(2) and (d)(2).

[17] We use the term ''issue'' here to describe an argument that Commerce would normally address in a comment of the Issues and Decision Memorandum.

[18] *See APO and Service Final Rule.*

[19] *See* 19 CFR 351.310(c).

[20] *See* 19 CFR 351.310.

[21] *See* 19 CFR 351.212(b)(1).

weighted-average dumping margin for Rich Well is not zero or *de minimis* (*i.e.,* less than 0.5 percent) in the final results of this review, we will calculate importer-specific *ad valorem* antidumping duty assessment rates based on the ratio of the total amount of dumping calculated for the importer's examined sales to the total entered value of those same sales. If Rich Well's weighted-average dumping margin is zero or *de minimis,* we intend to instruct CBP to liquidate the appropriate entries without regard to antidumping duties. The final results of this review shall be the basis for the assessment of antidumping duties on entries of merchandise covered by this review and for future deposits of estimated duties, where applicable.[22]

In accordance with Commerce's ''automatic assessment'' practice, for entries of subject merchandise during the POR produced by Rich Well for which the respondent did not know that the merchandise was destined for the United States, we will instruct CBP to liquidate those entries at the all-others rate established in the original less-than-fair-value (LTFV) investigation [23] if there is no rate for the intermediate company(ies) involved in the transaction.[24]

For Master, if the preliminary results are unchanged in the final results, we will instruct CBP to apply an *ad valorem* assessment rate equal to Master's dumping margin to all of its entries of subject merchandise during the POR. The final results of this review shall be the basis for the assessment of antidumping duties on entries of merchandise covered by the final results of this review and for future deposits of estimated duties, where applicable.[25]

Commerce intends to issue assessment instructions to CBP no earlier than 35 days after the date of publication of the final results of this review in the **Federal Register**. If a timely summons is filed at the U.S. Court of International Trade, the assessment instructions will direct CBP not to liquidate relevant entries until the time for parties to file a request for a statutory injunction has expired (*i.e.,* within 90 days of publication).

Cash Deposit Requirements

The following cash deposit requirements will be effective for all shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the publication date of the final results of this administrative review, as provided by section 751(a)(2)(C) of the Act: (1) the cash deposit rate for the companies listed above will be equal to the weighted-average dumping margin established in the final results of this administrative review, except if the rate is less than 0.50 percent and, therefore, *de minimis* within the meaning of 19 CFR 351.106(c)(1), in which case the cash deposit rate will be zero; (2) for merchandise exported by a company not covered in this review, but covered in a prior segment of the proceeding, the cash deposit rate will continue to be the company-specific rate published for the most recently-completed segment of this proceeding in which it was reviewed; (3) if the exporter is not a firm covered by this review, a prior review, or the original LTFV investigation, but the producer is, then the cash deposit rate will be the rate established for the most recently-completed segment of this proceeding for the producer of the merchandise; and (4) the cash deposit rate for all other producers or exporters will continue to be 4.30 percent,[26] the all-others rate established in the LTFV investigation. These cash deposit requirements, when imposed, shall remain in effect until further notice.

Final Results of Review

Unless otherwise extended, Commerce intends to issue the final results of this administrative review, including the results of its analysis of the issues raised in any written briefs, not later than 120 days after the date of publication of this notice, pursuant to section 751(a)(3)(A) of the Act and 19 CFR 351.213(h)(1).

Notification to Importers

This notice also serves as a preliminary reminder to importers of their responsibility under 19 CFR 351.402(f)(2) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this POR. Failure to comply with this requirement could result in Commerce's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of doubled antidumping duties.

Notification to Interested Parties

We are issuing and publishing these results in accordance with sections 751(a)(1) and 777(i)(1) of the Act, and 19 CFR 351.213 and 19 CFR 351.221(b)(4).

Dated: September 5, 2025.

Christopher Abbott,

Deputy Assistant Secretary for Policy and Negotiations, performing the non-exclusive functions and duties of the Assistant Secretary for Enforcement and Compliance.

Appendix I

List of Topics Discussed in the Preliminary Decision Memorandum

I. Summary
II. Background
III. Scope of the *Order*
IV. Discussion of the Methodology
V. Currency Conversion
VI. Recommendation

Appendix II

Companies Rescinded From Review

1. Al Falaq Building Materials;
2. Al Khashab Building Materials Co., LLC;
3. Al Rafaa Star Building Materials Est.;
4. Al Sabbah Trading and Importing, Est.;
5. Al-Khatib Est.
6. All Ferro Building Materials, LLC;
7. Asgarali Yousuf Trading Co., LLC;
8. Azymuth Consulting, LLC;
9. Burj Al Tasmeem, Tr.;
10. Gheewala Hardware Trading Company, LLC;
11. Madar UAE;
12. Mustafa Building Materials Co. (LLC);
13. New World International, LLC;
14. Okzeela Star Building Materials Trading, LLC;
15. Rishi International, FZCO;
16. Samrat Wire Industry, LLC;
17. Sea Lan Contracting;
18. SK Metal International DMCC;
19. Trade Circle Enterprises, LLC.

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[22] *See* section 751(a)(2)(C) of the Act.

[23] *See Order,* 77 FR at 27422.

[24] For a full discussion of this practice, *see Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties,* 68 FR 23954 (May 6, 2003).

[25] *See* section 751(a)(2)(C) of the Act.

[26] *See Order,* 77 FR at 27422.

DEPARTMENT OF COMMERCE

International Trade Administration

[C–570–991]

Chlorinated Isocyanurates From the People's Republic of China: Final Results of Countervailing Duty Administrative Review; 2022

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

SUMMARY: The U.S. Department of Commerce (Commerce) determines that countervailable subsidies are being provided to the producers and exporters of chlorinated isocyanurates from the People's Republic of China (China). The period of review (POR) is January 1, 2022, through December 31, 2022.

DATES: Applicable September 11, 2025.

FOR FURTHER INFORMATION CONTACT: Sun Cho, AD/CVD Operations, Office V, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401

Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–6458.

SUPPLEMENTARY INFORMATION:

Background

On December 13, 2024, Commerce published the preliminary results of the 2022 administrative review of the countervailing duty order on chlorinated isocyanurates from China.[1] This review covers two companies, Heze Huayi Chemical Co., Ltd. and Juancheng Kangtai Chemical Co., Ltd. We invited interested parties to comment on the *Preliminary Results*.[2] On December 9, 2024, Commerce tolled the deadline to issue the final results in this administrative review by 90 days.[3] On June 9, 2025, we extended the deadline for the final results by 59 days.[4] Accordingly, the deadline for the final results of review is September 5, 2025. For a complete description of the events that occurred since the *Preliminary Results, see* the Issues and Decision Memorandum.[5]

Scope of the Order [6]

The products covered by the *Order* are chlorinated isocyanurates from China. A full description of the scope of the *Order* is provided in the Issues and Decision Memorandum.

Analysis of Comments Received

A list of the issues that parties raised, to which we responded in the Issues and Decision Memorandum, is attached as an appendix to this notice. The Issues and Decision Memorandum is a public document and is on file electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at *https://access.trade.gov.* In addition, a complete version of the Issues and Decision Memorandum can be accessed directly at *https://access.trade.gov/public/FRNoticesListLayout.aspx.*

Changes Since the Preliminary Results

Based on arguments raised and a review of the record and all supporting documentation, we made certain changes to the *Preliminary Results* with respect to the subsidy rate calculation for the provision of land-use rights for less than adequate remuneration for the chemical industry program. For a discussion of the comments, *see* the Issues and Decision Memorandum.

Methodology

Commerce conducted this administrative review in accordance with section 751(a)(1)(A) of the Tariff Act of 1930, as amended (the Act). For each subsidy program found to be countervailable, Commerce finds that there is a subsidy, *i.e.,* a financial contribution from a government or public entity that gives rise to a benefit to the recipient, and that the subsidy is specific.[7] For a full description of the methodology underlying all of Commerce's conclusions, including any determination that relied upon the use of adverse facts available pursuant to sections 776(a) and (b) of the Act, *see* the Issues and Decision Memorandum.

Final Results of Administrative Review

In accordance with 19 CFR 351.221(b)(5), Commerce calculated the following net countervailable subsidy rates for the period January 1, 2022, through December 31, 2022:

Company	Subsidy rate (percent *ad valorem*)
Heze Huayi Chemical Co., Ltd	4.55
Juancheng Kangtai Chemical Co., Ltd	3.61

Disclosure

Commerce intends to disclose calculations and analysis performed for the final results of review within five days after the date of publication of this notice in the **Federal Register,** in accordance with 19 CFR 351.224(b).

Assessment

Pursuant to section 751(a)(2)(C) of the Act and 19 CFR 351.212(b)(2), Commerce will determine, and U.S. Customs and Border Protection (CBP) shall assess, countervailing duties on all appropriate entries of subject merchandise in accordance with the final results of this review, for the above-listed companies at the applicable *ad valorem* assessment rates listed. We intend to issue assessment instructions to CBP no earlier than 35 days after the date of publication of these final results of review. If a timely summons is filed at the U.S. Court of International Trade, the assessment instructions will direct CBP not to liquidate relevant entries until the time for parties to file a request for a statutory injunction has expired (*i.e.,* within 90 days of publication).

Cash Deposit Requirements

In accordance with section 751(a)(1) of the Act, Commerce intends to instruct CBP to collect cash deposits of estimated countervailing duties in the amounts shown for each of the respective companies listed above on shipments of subject merchandise entered, or withdrawn from warehouse, for consumption on or after the date of publication of the final results of this administrative review. For all non-reviewed firms subject to the *Order,* we will instruct CBP to continue to collect cash deposits of estimated countervailing duties at the most recent company-specific or all-others rate applicable to the company, as appropriate. These cash deposit requirements, effective upon publication of the final results of this review, shall remain in effect until further notice.

Administrative Protective Order

This notice also serves as a final reminder to parties subject to an administrative protective order (APO) of their responsibility concerning the destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3). Timely written notification of the return or destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and terms of an APO is a sanctionable violation.

Notification to Interested Parties

Commerce is issuing and publishing the final results of review in accordance with sections 751(a)(1) and 777(i)(1) of the Act and 19 CFR 351.221(b)(5).

[1] *See Chlorinated Isocyanurates from the People's Republic of China: Preliminary Results of the Countervailing Duty Administrative Review and Partial Rescission; 2022,* 89 FR 100974 (December 13, 2024) (*Preliminary Results*), and accompanying Preliminary Decision Memorandum.

[2] *See Preliminary Results,* 89 FR at 100975.

[3] *See* Memorandum, ''Tolling of Deadlines for Antidumping and Countervailing Duty Proceedings,'' dated December 9, 2024.

[4] *See* Memorandum, ''Extension of Deadlines for Final Results of Countervailing Duty Administrative Review, 2022,'' dated June 9, 2025.

[5] *See* Memorandum, ''Issues and Decision Memorandum for the Final Results of the Countervailing Duty Administrative Review of Chlorinated Isocyanurates from the People's Republic of China; 2022,'' dated concurrently with, and hereby adopted by, this notice (Issues and Decision Memorandum).

[6] *See Chlorinated Isocyanurates from the People's Republic of China: Countervailing Duty Order,* 79 FR 67424 (November 13, 2014) (*Order*).

[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.

Dated: September 5, 2025.

Christopher Abbott,

Deputy Assistant Secretary for Policy and Negotiations, performing the non-exclusive functions and duties of the Assistant Secretary for Enforcement and Compliance.

Appendix

List of Topics Discussed in the Issues and Decision Memorandum

I. Summary
II. Background
III. Scope of the *Order*
IV. Subsidies Valuation Information
V. Benchmarks
VI. Use of Facts Otherwise Available and Application of Adverse Inferences
VII. Analysis of Programs
VIII. Discussion of the Issues
Comment 1: Whether Commerce Should Apply Adverse Facts Available (AFA) to the Program on the Provision of Land-Use Rights for Less Than Adequate Remuneration (LTAR) for the Chemical Industry
Comment 2: Whether Commerce Should Use the Contract Prices for the Land-Use Rights Acquired in its Benefit Calculation
Comment 3: Selection of the AFA Rate for the Export Buyer's Credit Program (EBCP)
IX. Recommendation

[FR Doc. 2025–17454 Filed 9–10–25; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–421–815]

Certain Preserved Mushrooms From the Netherlands: Preliminary Results of Antidumping Duty Administrative Review; 2022–2024

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

SUMMARY: The U.S. Department of Commerce (Commerce) preliminarily determines that Okechamp B.V. (Okechamp) made sales of certain preserved mushrooms (mushrooms) from the Netherlands at less than normal value (NV) during the period of review (POR), November 3, 2022, through April 30, 2024. Interested parties are invited to comment on these preliminary results of review.

DATES: Applicable September 11, 2025.

FOR FURTHER INFORMATION CONTACT: Alexander Cipolla, 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) 482–4956.

SUPPLEMENTARY INFORMATION:

Background

On May 23, 2023, Commerce published the antidumping duty (AD) order on mushrooms from the Netherlands.[1] On May 30, 2024, Commerce received a request for an administrative review from Okechamp.[2] On July 5, 2024, based on this timely request for review, and in accordance with 19 CFR 351.221(c)(1)(i), Commerce initiated this administrative review of the *Order*.[3]

On July 22, 2024, Commerce tolled certain deadlines in this administrative proceeding by seven days.[4] On December 9, 2024, Commerce further tolled certain deadlines by an additional 90 days.[5] On April 15, 2025, Commerce extended the deadline for these preliminary results until no later than August 6, 2025.[6] Finally, on August 6, 2025, Commerce fully extended the deadline for these preliminary results to September 5, 2025.[7]

For detailed summary of the events that occurred since the *Initiation Notice, see* the Preliminary Decision Memorandum.[8] 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.* A list of topics discussed in the Preliminary Decision Memorandum is included as an appendix to this notice.

[1] *See Certain Preserved Mushrooms from the Netherlands, Poland, and Spain: Antidumping Duty Orders,* 88 FR 33096 (May 23, 2023) (*Order*).

[2] *See* Okechamp's Letter, ''Request for Administrative Review,'' dated May 30, 2024.

[3] *See Initiation of Antidumping and Countervailing Duty Administrative Reviews,* 89 FR 55567 (July 5, 2024) (*Initiation Notice*).

[4] *See* Memorandum, ''Tolling of Deadlines for Antidumping and Countervailing Duty Proceedings,'' dated July 22, 2024.

[5] *See* Memorandum, ''Tolling of Deadlines for Antidumping and Countervailing Duty Proceedings,'' dated December 9, 2024.

[6] *See* Memorandum, ''Extension of Deadline for Preliminary Results of Antidumping Duty Administrative Review,'' dated April 15, 2025

[7] *See* Memorandum, ''Second Extension of Deadline for Preliminary Results of Antidumping Duty Administrative Review,'' dated August 6, 2025.

[8] *See* Memorandum, ''Decision Memorandum for the Preliminary Results of Administrative Review: Certain Preserved Mushrooms from the Netherlands; 2022–2024,'' dated concurrently with, and hereby adopted by, this notice (Preliminary Decision Memorandum).

Scope of the Order

The merchandise covered by the scope of the *Order* is mushrooms from the Netherlands. For a full description of the scope of the *Order, see* the Preliminary Decision Memorandum.

Methodology

Commerce is conducting this review in accordance with section 751(a) of the Tariff Act of 1930, as amended (the Act). Export price is calculated in accordance with section 772 of the Act, and NV is calculated in accordance with section 773 of the Act. For a full description of the methodology underlying our conclusions, *see* the Preliminary Decision Memorandum.

Preliminary Results of Review

Commerce preliminarily determines the following weighted-average dumping margin exists for the period November 3, 2022, through April 30, 2024:

Exporter/producer	Weighted-average dumping margin (U.S. dollars per kilogram of net drained weight)
Okechamp B.V.	0.44

Disclosure

Commerce intends to disclose the calculations and analysis performed to interested parties for these preliminary results within five days after public announcement or, if there is no public announcement, within five days after the date of publication of this notice in the **Federal Register,** in accordance with 19 CFR 351.224(b).

Public Comment

Case briefs or other written comments may be submitted to the Assistant Secretary for Enforcement and Compliance. Pursuant to 19 CFR 351.309(c)(1)(ii), we have modified the deadline for interested parties to submit case briefs to Commerce to no later than 21 days after the date of the publication of this notice.[9] Rebuttal briefs, limited to issues raised in the case briefs, may be filed no later than five days after the date for filing case briefs.[10] Interested parties who submit case or rebuttal briefs in this proceeding must submit: (1) a statement of the issue; (2) a brief

[9] *See* 19 CFR 351.309.

[10] *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 Final Service Rule*).

summary of the argument; and (3) a table of authorities.[11]

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 administrative review, we instead request that interested parties provide at the beginning of their briefs a public executive summary for each issue raised in their briefs.[12] Further, we request that interested parties limit their public executive summary of each issue to no more than 450 words, not including citations. We intend to use the public executive summaries as the basis of the comment summaries included in the issues and decision memorandum that will accompany the final results in this review. We request that interested parties include footnotes for relevant citations in the public 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).[13]

Pursuant to 19 CFR 351.310(c), interested parties who wish to request a hearing must submit a written request to the Assistant Secretary for Enforcement and Compliance, filed electronically via ACCESS. Hearing 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 issues to be discussed. Issues raised in the hearing will be limited to issues raised in the respective case briefs. If a request for a hearing is made, Commerce intends to hold the hearing at a date and time to be determined and will notify the parties through ACCESS.[14] Parties should confirm the date, time, and location of the hearing two days before the scheduled date. All submissions, including case and rebuttal briefs, as well as hearing requests, should be filed using ACCESS. An electronically-filed document must be received successfully in its entirety by ACCESS by 5:00 p.m. Eastern Time on the established deadline.

Assessment Rates

Upon completion of the administrative review, Commerce will determine, and U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries covered by this review.[15] Commerce intends to issue assessment instruction to CBP no earlier than 35 days after the date of publication of the final results in the **Federal Register**. For Okechamp, whose weighted-average dumping margin is not zero or *de minimis* (*i.e.,* less than 0.50 percent), we will calculate importer- (or customer-) specific per-unit AD assessment rates by dividing the total amount of dumping calculated for the examined sales made to that importer (or customer) by the total quantity associated with those sales. To determine whether an importer-specific, per-unit assessment rate is *de minimis,* in accordance with 19 CFR 351.106(c)(2), we also will calculate an importer-specific *ad valorem* ratio based on estimated entered values.

The final results of this administrative review shall be the basis for the assessment of antidumping duties on entries of merchandise covered by the final results of this review and for future deposits of estimated duties, where applicable.[16]

If a timely summons is filed at the U.S. Court of International Trade, the assessment instructions will direct CBP not to liquidate relevant entries until the time for parties to file a request for a statutory injunction has expired (*i.e.,* within 90 days of publication).

Cash Deposit Requirements

The following deposit requirements will be effective for all shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the publication date of the final results of this administrative review, as provided by section 751(a)(2)(C) of the Act: (1) the cash deposit rate for each specific company listed above will be equal to the weighted-average dumping margin established in the final results of this administrative review, except if the rate is less than 0.50 percent and, therefore, *de minimis* within the meaning of 19 CFR 351.106(c)(1), in which case the cash deposit rate will be zero; (2) for previously reviewed or investigated companies not participating in this review, the cash deposit rate will continue to be the company-specific rate published for the most recently completed segment of this proceeding in which the producer or exporter participated; (3) if the exporter is not a firm covered in this review, a prior review, or the original investigation but the producer is, the cash deposit rate will be the rate established for the most recently completed segment of this proceeding for the producer of the subject merchandise; and (4) the cash deposit rate for all other producers or exporters will continue to be the all-others rate established in the less-than-fair-value investigation (*i.e.,* 132.97 percent).[17]

Based on an analysis of Okechamp's submitted entered value data, we have determined that there is a substantial difference between Okechamp's net unit price for its entries of mushrooms and the entered value reported to CBP. While Commerce normally directs CBP to collect cash deposits on an *ad valorem* basis, we are not required to do so by statute or by our regulations and have in the past used quantity-based rates where appropriate.[18] As such, we intend to direct CBP to collect cash deposits from Okechamp on a per-unit basis upon completion of the final results of this review. These cash deposit requirements, when imposed, shall remain in effect until further notice.

Notification to Importers

This notice also serves as a preliminary reminder to importers of their responsibility under 19 CFR 351.402(f)(2) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in Commerce's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of doubled antidumping duties.

Notification to Interested Parties

Commerce is issuing and publishing the preliminary results of this review in accordance with sections 751(a)(1) and 777(i)(1) of the Act, and 19 CFR 351.221(b)(4) and 19 CFR 351.213d(4).

[11] *See* 19 CFR 351.309(c)(2) and (d)(2).

[12] We use the term ''issue'' here to describe an argument that Commerce would normally address in a comment of the Issues and Decision Memorandum.

[13] *See APO and Service Final Rule.*

[14] *See* 19 CFR 351.210(d).

[15] *See* 19 CFR 351.212(b)(1).

[16] *See* section 751(a)(2)(C) of the Act.

[17] *See Order,* 88 FR at 33097.

[18] *See, e.g., Freshwater Crawfish Tail Meat from the People's Republic of China; Notice of Final Results of Antidumping Duty Administrative Review, and Final Partial Rescission of Antidumping Duty Administrative Review,* 67 FR 19546, 19549 (April 22, 2002); *Antifriction Bearings (Other Than Tapered Roller Bearings) and Parts Thereof from France, Germany, Italy, Japan, Sweden, and the United Kingdom; Final Results of Antidumping Duty Administrative Reviews and Revocation of Orders in Part,* 66 FR 36551 (July 12, 2001); *Honey from the People's Republic of China: Final Results and Final Rescission, In Part, of Antidumping Duty Administrative Review,* 70 FR 38873 (July 6, 2005); and *Fresh Garlic from the People's Republic of China: Final Results of Antidumping Duty Administrative Review,* 70 FR 34082 (June 13, 2005).

Dated: September 5, 2025.

Christopher Abbott,

Deputy Assistant Secretary for Policy and Negotiations, performing the non-exclusive functions and duties of the Assistant Secretary for Enforcement and Compliance.

Appendix

List of Topics Discussed in the Preliminary Decision Memorandum

I. Summary
II. Background
III. Scope of the *Order*
IV. Discussion of the Methodology
V. Currency Conversion
VI. Recommendation

[FR Doc. 2025–17457 Filed 9–10–25; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[A–122–857]

Certain Softwood Lumber Products From Canada: Amended Final Results of Antidumping Duty Administrative Review; 2023

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

SUMMARY: The U.S. Department of Commerce (Commerce) is amending the final results of the administrative review of the antidumping duty (AD) order on certain softwood lumber products (softwood lumber) from Canada to correct certain ministerial and typographical errors. The period of review (POR) is January 1, 2023, through December 31, 2023.

DATES: Applicable September 11, 2025.

FOR FURTHER INFORMATION CONTACT: Thomas Martin or Joshua Jacobson, AD/CVD Operations, Office IV, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–3936 or (202) 482–0266, respectively.

SUPPLEMENTARY INFORMATION:

Background

On July 29, 2025, Commerce published, in the **Federal Register**, the *Final Results* of the administrative review of the AD order on softwood lumber from Canada for this POR.[1] On August 5 and 6, 2025, we received timely-filed ministerial error allegations from Canfor [2] and West Fraser,[3] the mandatory respondents in this administrative review.[4] On August 11, 2025, we received comments on West Fraser's ministerial error allegations from the Committee Overseeing Action for Lumber International Trade Investigations or Negotiations (the petitioner).[5] We are amending the *Final Results* to correct the ministerial errors raised by Canfor.[6] Further, pursuant to our correction of the *Final Results* with respect to Canfor, we are revising our calculation of the dumping margin for the non-selected companies.[7] Additionally, this notice corrects the names of two non-examined companies that Commerce listed incorrectly in the *Final Results.*

Legal Framework

Section 751(h) of the Tariff Act of 1930, as amended (the Act), defines a ''ministerial error'' as including ''errors in addition, subtraction, or other arithmetic function, clerical errors resulting from inaccurate copying, duplication, or the like, and any other unintentional error which the administering authority considers ministerial.'' [8] With respect to final results of administrative reviews, 19 CFR 351.224(e) provides that Commerce ''will analyze any comments received and, if appropriate, correct any . . . ministerial error by amending the final results of review . . . .''

Ministerial Errors

In the *Final Results,* we made certain revisions to our preliminary results calculations for Canfor.[9] In its ministerial error comments, Canfor alleged that Commerce made two errors regarding the calculation of Canfor's general and administrative (G&A) expenses.

We agree with Canfor that we made two ministerial errors in calculating Canfor's G&A expenses in the *Final Results,* pursuant to section 751(h) of the Act and 19 CFR 351.224(f), and have amended our calculations to correct these errors.[10] We also revised our calculation of the dumping margin for the non-selected companies.[11]

In its ministerial error comments, West Fraser alleged that Commerce mistakenly used the wrong databases in calculating West Fraser's final weighted-average dumping margin. In its rebuttal comments, the petitioner argued that Commerce used the only data available in calculating West Fraser's final dumping margin, and thus that West Fraser's allegations cannot be considered ministerial errors pursuant to section 735(e) of the Act and 19 CFR 351.224(f).

We disagree with West Fraser that we made a ministerial error in the *Final Results,* pursuant to section 751(h) of the Act and 19 CFR 351.224(f), and thus have not amended our calculations with respect to West Fraser.

Pursuant to 19 CFR 351.224(e), we are amending the *Final Results* to correct the ministerial errors with regards to Canfor's allegations. In doing so, the calculation of the weighted-average dumping margin for Canfor changes from 35.53 percent to 35.47 percent.[12] Additionally, we are also amending the rate for the companies not selected for individual examination in this review, based on the weighted- average dumping margins calculated for the mandatory respondents,[13] from 20.56 percent to 20.53 percent.[14] For a

[1] *See Certain Softwood Lumber Products from Canada: Final Results of Antidumping Duty Administrative Review, Partial Rescission of Administrative Review, and Final Determination of No Shipments; 2023,* 90 FR 35666 (July 29, 2025) (*Final Results*), and accompanying Issues and Decision Memorandum (IDM).

[2] As described in the *Final Results* IDM at 1, n.2, we have treated Canfor Corporation, Canadian Forest Products Ltd. (CFP), Canfor Wood Products Marketing Ltd., Canfor Fox Creek Ltd. and Canfor Whitecourt Ltd. (collectively, Canfor) as a single entity.

[3] As described in the *Final Results* IDM at 1, n.3, we have treated West Fraser Mills Ltd., Blue Ridge Lumber Inc., Manning Forest Products Ltd., and Sundre Forest Products Inc. (collectively, West Fraser) as a single entity.

[4] *See* Canfor's Letter, ''Canfor's Ministerial Error Comments,'' dated August 5, 2025 (Canfor's Ministerial Error Allegations); *see also* West Fraser's Letter, ''Request for Correction of Ministerial Errors in the Antidumping Duty Administrative Review Calculations,'' dated August 6, 2025 (West Fraser's Ministerial Error Allegations).

[5] *See* Petitioner's Letter, ''Reply to West Fraser's Comments Concerning Ministerial Errors,'' dated August 11, 2025 (Petitioner's Comments).

[6] *See* Memorandum, ''Analysis of Ministerial Error Allegations,'' dated concurrently with this notice (Ministerial Error Memorandum).

[7] *See* Memorandum, ''Calculation of the Rate for Non-Selected Respondents,'' dated concurrently with this notice (Non-Selected Rate Analysis Memorandum). A list of the non-selected companies under review is included here as Appendix I.

[8] *See* 19 CFR 351.224(f).

[9] *See* Memoranda, ''Analysis for the Final Results of the Fifth Antidumping Duty Administrative Review: Certain Softwood Lumber Products from Canada—Canfor Corporation, Canadian Forest Products Ltd., and Canfor Wood Products Marketing Ltd.,'' dated July 24, 2025, at Attachment 1.

[10] *See* Ministerial Error Memorandum; *see also* Memorandum, ''Analysis for the Amended Final Results of the Fifth Antidumping Duty Administrative Review: Certain Softwood Lumber Products from Canada—Canfor Corporation,'' dated concurrently with this memorandum (Canfor Amended Final Calculation Memorandum).

[11] *See* Non-Selected Rate Analysis Memorandum. A list of the non-selected companies under review is included here as Appendix I.

[12] *See* Ministerial Error Memorandum; *see also* Canfor Amended Final Calculation Memorandum.

[13] The margin for the other mandatory respondent, West Fraser, remains unchanged from the *Final Results* and continues to be 9.65 percent.

[14] *See* Non-Selected Rate Analysis Memorandum.

complete discussion of the ministerial error allegations, as well as Commerce's analysis, *see* the accompanying Ministerial Error Memorandum.[15] The Ministerial Error Memorandum is a public document and is on file electronically via ACCESS. ACCESS is available to registered users at *https://access.trade.gov.*

Corrections

In the **Federal Register** of July 29, 2025, in FR Doc 2025–14298, on page 35669, in the first column, correct ''Kings Wood Products Linc.'' to ''Kings Wood Products Inc.'' and ''in the second column, correct Trans-Pacific Trading Ltd.'' to ''TRAPA Forest Products Ltd.''

For a list of all non-examined companies that incorporates these corrections, *see* the appendix to this notice.

Amended Final Results of Review

As a result of correcting the ministerial errors described above, we determine the following estimated weighted-average dumping margins for the period January 1, 2023, through December 31, 2023:

Exporter or producer	Weighted-average dumping margin (percent)
Canfor Corporation	35.47
Companies Not Selected for Individual Examination	20.53

Disclosure

We intend to disclose the calculations performed in connection with these amended final results of review to parties in this review within five days of the date of publication of this notice in the **Federal Register**, in accordance with 19 CFR 351.224(b).

Assessment Rates

Pursuant to section 751(a)(2)(C) of the Act, and 19 CFR 351.212(b)(1), Commerce has determined, and U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries of subject merchandise in accordance with the amended final results of this review.

We intend to calculate importer- (or customer-) specific assessment rates on the basis of the ratio of the total amount of antidumping duties calculated for each importer's (or customer's) examined sales and the total entered value of the sales in accordance with 19 CFR 351.212(b)(1). Where an importer- (or customer-) specific rate is zero or *de minimis* within the meaning of 19 CFR 351.106(c)(1), we will instruct CBP to liquidate the appropriate entries without regard to antidumping duties.

For the companies not selected for individual review, we used an assessment rate based on the weighted average dumping margins of the mandatory respondents, based on their publicly ranged sales data.[16] The amended final results of this review shall be the basis for the assessment of antidumping duties on entries of merchandise covered by the amended final results of this review and for the future deposits of estimated duties where applicable.[17]

Commerce's ''reseller policy'' will apply to entries of subject merchandise during the POR produced by companies included in these final results of review for which the reviewed companies did not know that the merchandise they sold to the intermediary (*e.g.,* a reseller, trading company, or exporter) was destined for the United States. In such instances, we will instruct CBP to liquidate unreviewed entries at the all-others rate if there is no rate for the intermediate company(ies) involved in the transaction.[18]

Commerce intends to issue assessment instructions to CBP no earlier than 41 days after the date of publication of the amended final results of this review in the **Federal Register** in accordance with 19 CFR 356.8(a). If a timely summons is filed at the U.S. Court of International Trade, the assessment instructions will direct CBP not to liquidate relevant entries until the time for parties to file a request for a statutory injunction has expired (*i.e.,* within 90 days of publication).

Cash Deposit Requirements

The following amended cash deposit requirements will be effective for all shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after July 29, 2025, the publication date of the *Final Results,* as provided by section 751(a)(2)(C) of the Act: (1) the amended cash deposit rate for the companies listed above will be equal to the weighted-average dumping margin established in these amended final results of review; (2) for merchandise exported by producers or exporters not covered in this review but covered in a prior completed segment of the proceeding, the cash deposit rate will continue to be the company-specific rate published in the completed segment for the most recent period; (3) if the exporter is not a firm covered in this review, a prior review, or the original investigation but the producer has been covered in a prior completed segment of this proceeding, then the cash deposit rate will be the rate established in the completed segment for the most recent period for the producer of the merchandise; and (4) the cash deposit rate for all other manufacturers or exporters will continue to be 6.04 percent *ad valorem,* the all-others rate established in the less-than-fair-value investigation.[19] These cash deposit requirements, when imposed, shall remain in effect until further notice.

Notification to Importers

This notice serves as a final reminder to importers of their responsibility under 19 CFR 351.402(f)(2) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in Commerce's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

Notice Regarding Administrative Protective Order

This notice serves as the only reminder to parties subject to administrative protective order (APO) of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3), which continues to govern business proprietary information in this segment of the proceeding. Timely written notification of return/destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and the terms of an APO is a sanctionable violation.

Notification to Interested Parties

We are issuing and publishing these amended final results of review in accordance with sections 751(h) and 777(i) of the Act and 19 CFR 351.224(e).

[15] *See* Ministerial Error Memorandum.

[16] *See* Non-Selected Rate Analysis Memorandum.

[17] *See* section 751(a)(2)(C) of the Act.

[18] For a full discussion of this practice, *see Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties,* 68 FR 23954 (May 6, 2003).

[19] *See Certain Softwood Lumber Products from Canada: Final Affirmative Determination of Sales at Less Than Fair Value and Affirmative Final Determination of Critical Circumstances,* 82 FR 51806 (November 8, 2017).

Dated: September 5, 2025.

Christopher Abbott,

Deputy Assistant Secretary for Policy and Negotiations, performing the non-exclusive functions and duties of the Assistant Secretary for Enforcement and Compliance.

Appendix

Non-Selected Exporters/Producers

1. 10104704 Manitoba Ltd. O/A Woodstock Forest Products
2. 1074712 BC Ltd.; Quadra Cedar
3. 5214875 Manitoba Ltd.
4. 54 Reman
5. 9224–5737 Quebec inc.; A.G. Bois
6. 0752615 B.C Ltd.; Fraserview Remanufacturing Inc.; Fraserview Cedar Products.
7. Absolute Lumber Products Ltd.
8. Adwood Manufacturing Ltd.
9. AJ Forest Products Ltd.
10. Aler Forest Products Ltd.
11. Alpa Lumber Mills Inc.
12. Andersen Pacific Forest Products Ltd.
13. Anglo American Cedar Products Ltd.; Anglo-American Cedar Products Ltd.
14. Antrim Cedar Corporation
15. Aquila Cedar Products Ltd.
16. Arbec Lumber Inc.; Arbec Bois Doeuvre Inc.
17. Aspen Pacific Industries Inc.
18. Aspen Planers Ltd.
19. B&L Forest Products Ltd.
20. B.B. Pallets Inc.; Les Palettes B.B.Inc.
21. Babine Forest Products Limited
22. Bakerview Forest Products Inc.
23. Barrette-Chapais Ltee
24. BarretteWood Inc.
25. Benoît & Dionne Produits Forestiers Ltee; Benoît & Dionne Forest Products Ltd.
26. Blanchet Multi Concept Inc.
27. Blanchette & Blanchette Inc.
28. Bois Aise de Montreal Inc.
29. Bois Bonsaï Inc.
30. Bois Daaquam Inc.; Daaquam Lumber Inc.
31. Bois D'oeuvre Cedrico Inc.; Cedrico Lumber Inc.
32. Bois et Solutions Marketing SPEC, Inc.; SPEC Wood & Marketing Solution; SPEC Wood and Marketing Solutions Inc.
33. Bois Weedon Inc.
34. Boisaco Inc.
35. Boscus Canada Inc.
36. Boucher Bros. Lumber Ltd.
37. BPWood Ltd.
38. Bramwood Forest Inc.
39. Brink Forest Products Ltd.
40. Brunswick Valley Lumber Inc.
41. Burrows Lumber (CD) Ltd., Theo A. Burrows Lumber Company Limited
42. Busque & Laflamme Inc.
43. Canadian Bavarian Millwork & Lumber Ltd.
44. Canasia Forest Industries Ltd.
45. Canyon Lumber Company Ltd.
46. Carrier & Begin Inc.
47. Carrier Forest Products Ltd.
48. Carrier Lumber Ltd.
49. Carter Forest Products Inc.
50. Cedar Island Forest Products Ltd.
51. Cedar Valley Holdings Ltd.
52. Cedarland Forest Products Ltd.
53. Cedarline Industries Ltd.
54. Central Cedar Ltd.
55. Central Forest Products Inc.
56. Centurion Lumber Ltd.
57. Chaleur Forest Products Inc.
58. Chaleur Forest Products LP
59. Channel-ex Trading Corporation
60. CHAP Alliance, Inc.
61. Chinook Wood Products Ltd.
62. Clair Industrial Development Corp. Ltd.
63. Clermond Hamel Ltee
64. CLG Enterprises Inc.
65. CNH Products Inc.
66. Columbia River Shake & Shingle Ltd./ Teal Cedar Products Ltd., DBA the Teal Jones Group.
67. Commonwealth Plywood Co. Ltd.
68. Conifex Fibre Marketing Inc.
69. Cowichan Lumber Ltd.
70. CS Manufacturing Inc. (dba Cedarshed)
71. CWP—Industriel Inc.
72. CWP—Montreal Inc.
73. D & D Pallets Ltd.
74. Dakeryn Industries Ltd.
75. Decker Lake Forest Products Ltd.
76. Deep Cove Forest Products, Inc.
77. Delco Forest Products Ltd.
78. Delta Cedar Specialties Ltd.
79. Devon Lumber Co. Ltd.
80. DH Manufacturing Inc.
81. Direct Cedar Supplies Ltd.
82. Doubletree Forest Products Ltd.
83. Downie Timber Ltd.
84. Dunkley Lumber Ltd.
85. EACOM Timber Corporation
86. East Fraser Fiber Co. Ltd.
87. Edgewood Forest Products Inc.
88. ER Probyn Export Ltd.
89. Falcon Lumber Ltd.
90. Fontaine Inc.
91. Foothills Forest Products Inc.
92. Forest Products Mauricie LP; Societe en commandite Scierie Opitciwan; Resolute Growth Canada Inc.; Resolute FP Canada Inc.; Resolute-LP Engineered Wood Larouche Inc.; Resolute-LP Engineered Wood St-Prime Limited Partnership
93. Fort St. James Forest Products Limited Partnership
94. Fraser Specialty Products Ltd.
95. FraserWood Industries Ltd.
96. Furtado Forest Products Ltd.
97. Goldwood Industries Ltd.
98. Goodfellow Inc.
99. Gorman Bros. Lumber Ltd.
100. GreenFirst Forest Products (QC) Inc.
101. Greenwell Resources Inc.
102. Griff Building Supplies Ltd.
103. Groupe Crete Chertsey Inc.
104. Groupe Crete Division St-Faustin Inc.
105. Groupe Lebel Inc.
106. H.J. Crabbe & Sons Ltd.
107. Haida Forest Products Ltd.
108. Halo Sawmill, a division of Delta Cedar Specialties Ltd.; Halo Sawmill Manufacturing Limited Partnership
109. Hampton Tree Farms, LLC (dba Hampton Lumber Sales Canada)
110. Hornepayne Lumber LP
111. Hudson Mitchell & Sons Lumber Inc.
112. Independent Building Materials Distribution Inc.
113. Interfor Corporation; Interfor Sales & Marketing Ltd.
114. Intertran Holdings Ltd. (dba Richmond Terminal)
115. Island Cedar Products Ltd.
116. Ivor Forest Products Ltd.
117. J&G Log Works Ltd.
118. J.D. Irving, Limited
119. J.H. Huscroft Ltd.
120. Jan Woodlands (2001) Inc.
121. Jasco Forest Products Ltd.
122. Jazz Forest Products Ltd.
123. Jhajj Lumber Corporation
124. Kalesnikoff Lumber Co. Ltd.
125. Kan Wood Ltd.
126. Kebois Ltee; Kebois Ltd.
127. Kelfor Industries Ltd.
128. Kermode Forest Products Ltd.
129. Keystone Timber Ltd.
130. Kings Wood Products Inc.
131. Kirkland Lake Forest Products Inc.
132. La Crete Sawmills Ltd.
133. Lafontaine Lumber Inc.
134. Langevin Forest Products Inc.
135. Lecours Lumber Co. Limited
136. Leisure Lumber Ltd.
137. Les Bardeaux Lajoie Inc.
138. Les Bois d'oeuvre Beaudoin Gauthier Inc.
139. Les Bois Martek Lumber
140. Les Chantiers de Chibougamau Ltee; Les Chantiers de Chibougamau Ltd.
141. Les Industries P.F. Inc.
142. Les Produits Forestiers D&G Ltee; D&G Forest Products Ltd.
143. Les Produits Forestiers Sitka Inc. (aka Sitka Forest Products Inc.)
144. Leslie Forest Products Ltd.
145. Lignum Forest Products LLP
146. Linwood Homes Ltd.
147. Lonestar Lumber lnc.
148. Lulumco Inc.
149. Madera Forest Products INC
150. Magnum Forest Products Ltd.
151. Maibec Inc.
152. Mainland Sawmill, a division of Terminal Forest Products
153. Manitou Forest Products Ltd.
154. Marcel Lauzon Inc.
155. Marwood Ltd.
156. Materiaux Blanchet Inc.
157. Metrie Canada Ltd.
158. Mid Valley Lumber Specialties Ltd.
159. Midway Lumber Mills Ltd.
160. Mill & Timber Products Ltd.
161. Millar Western Forest Products Ltd.
162. Mirax Lumber Products Ltd.
163. Mobilier Rustique (Beauce) Inc.
164. Monterra Lumber Mills Limited
165. Morwood Forest Products Inc.
166. Multicedre Ltee
167. Murray Brothers Lumber Company Ltd.
168. Nakina Lumber Inc.
169. National Forest Products Ltd.
170. Nicholson and Cates Ltd.
171. Norsask Forest Products Inc.
172. Norsask Forest Products Limited Partnership
173. North American Forest Products Ltd. (located in Abbotsford, British Columbia)
174. North American Forest Products Ltd. (located in Saint-Quentin, New Brunswick)
175. North Enderby Timber Ltd.
176. Northland Forest Products Ltd.
177. Oakwood Manufacturing A Division of Weston Forest Products Inc.
178. Olympic Industries Inc.
179. Olympic Industries ULC
180. Oregon Canadian Forest Products; Oregon Canadian Forest Products Inc.
181. Pacific Coast Cedar Products Ltd.
182. Pacific Lumber Remanufacturing Inc.

183. Pacific NorthWest Lumber Ltd.
184. Pacific Western Wood Works Ltd.
185. PalletSource Inc.
186. Parallel Wood Products Ltd.
187. Partap Forest Products Ltd.
188. Peak Industries (Cranbrook) Ltd.
189. Phoenix Forest Products Inc.
190. Pine Ideas Ltd.
191. Plaster Rock Lumber Corporation
192. Pioneer Pallet & Lumber Ltd.
193. Porcupine Wood Products Ltd.
194. Power Wood Corp.
195. Precision Cedar Products Corp.
196. Produits Forestiers Petit Paris Inc.
197. Produits Matra Inc.
198. Promobois G.D.S. Inc.
199. R.A. Green Lumber Ltd.
200. RBC Timber Products
201. Rembos Inc.
202. Rene Bernard Inc.
203. Rielly Industrial Lumber Inc.
204. River City Remanufacturing Inc.
205. Riverside Forest Products Inc.
206. S&R Sawmills Ltd.
207. San Group
208. San Industries Ltd.
209. Sapphire Lumber Company
210. Sawarne Lumber Co. Ltd.
211. Scierie Alexandre Lemay & Fils Inc.
212. Scierie St-Michel Inc.
213. Scierie West Brome Inc.
214. Scott Lumber Sales; Scott Lumber Sales Ltd.
215. Sechoirs de Beauce Inc.
216. Shakertown Corp.
217. Sigurdson Forest Products Ltd.
218. Sinclar Group Forest Products Ltd.
219. Skana Forest Products Ltd.
220. Skeena Sawmills Ltd.
221. Star Lumber Canada Ltd.
222. South Beach Trading Inc.
223. Specialiste du Bardeau de Cedre Inc.; Specialiste du Bardeau de Cedre Inc. (SBC)
224. Spruceland Millworks Inc.
225. Sundher Timber Products Inc.
226. Surrey Cedar Ltd.
227. T.G. Wood Products
228. Taan Forest Limited Partnership (aka Taan Forest Products)
229. Taiga Building Products Ltd.
230. Tall Tree Lumber Company
231. Tenryu Canada Corporation
232. Terminal Forest Products Ltd.
233. The Wood Source Inc.
234. Tolko Industries Ltd.; Tolko Marketing and Sales Ltd.; Gilbert Smith Forest Products Ltd.
235. Top Quality Lumber Ltd.
236. TRAPA Forest Products Ltd.
237. Triad Forest Products Ltd.
238. Twin Rivers Paper Co. Inc.
239. Tyee Timber Products Ltd.
240. Universal Lumber Sales Ltd.
241. Usine Sartigan Inc.
242. Vaagen Fibre Canada ULC
243. Vancouver Specialty Cedar Products Ltd.
244. Vancouver Urban Timberworks Ltd.; Van Urban
245. Vanderhoof Specialty Wood Products Ltd.
246. Vanderwell Contractors (1971) Ltd.
247. Visscher Lumber Inc.
248. W.I. Woodtone Industries Inc.
249. West Bay Forest Products Ltd.
250. Western Forest Products Inc.
251. Western Lumber Sales Limited
252. Western Timber Products, Inc.
253. Westminster Industries Ltd.
254. Weston Forest Products Inc.
255. Westrend Exteriors Inc
256. Weyerhaeuser Co.
257. White River Forest Products L.P.
258. Woodline Forest Products Ltd.
259. Woodtone Specialties Inc.

[FR Doc. 2025–17453 Filed 9–10–25; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[A–533–883, A–588–878, A–549–837, C–533–884, C–570–081]

Glycine From India, Japan, Thailand, and the People's Republic of China: Notice of Court Decision Not in Harmony With Final Scope Ruling and Notice of Amended Final Scope Ruling Pursuant to Court Decision

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

SUMMARY: On August 20, 2025, the U.S. Court of International Trade (CIT) issued its final judgment in *Deer Park Glycine, LLC* v. *United States,* Court No. 23–00238, sustaining the U.S. Department of Commerce (Commerce)'s remand redetermination pertaining to the final scope ruling for the antidumping duty orders on glycine from India, Japan, and Thailand, and the countervailing duty orders on glycine from India and the People's Republic of China. In the underlying ruling, Commerce determined that calcium glycinate was not covered by the scope of the orders. Commerce is notifying the public that the CIT's final judgment is not in harmony with Commerce's final scope ruling, and notifying the public of Commerce's final scope ruling finding that calcium glycinate is subject to the orders.

DATES: Applicable August 30, 2025.

FOR FURTHER INFORMATION CONTACT: Brian Davis, AD/CVD Operations, Office VI, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–7924.

SUPPLEMENTARY INFORMATION:

Background

On October 11, 2023, Commerce issued its Final Scope Ruling finding that calcium glycinate is not subject to the scope of the *Orders.*[1] Deer Park LLC appealed Commerce's Final Scope Ruling. On April 10, 2025, the CIT remanded the Final Scope Ruling to Commerce, holding that Commerce's determination was unreasonable and remanding for Commerce to: (1) analyze whether calcium glycinate is a form of crude or technical glycine, which would bring it within the scope of the *Orders,*[2] and (2) specifically consider information in the scope application and the ITC Report that detracted from Commerce's interpretation of the scope language and its ultimate determination that calcium glycinate is not subject to the *Orders.*[3]

In its final remand redetermination, issued on July 9, 2025, Commerce found calcium glycinate to be covered by the scope of the *Orders* as a form of crude or technical glycine.[4] On August 20, 2025, the CIT sustained Commerce's final redetermination.[5]

Timken Notice

In its decision in *Timken,*[6] as clarified by *Diamond Sawblades,*[7] the Court of Appeals for the Federal Circuit held that, pursuant to section 516A(c) and (e) of the Tariff Act of 1930, as amended (the Act), Commerce must publish a notice of court decision that is not ''in harmony'' with a Commerce determination and must suspend liquidation of entries pending a ''conclusive'' court decision. The CIT's August 20, 2025, judgment constitutes a final decision of the CIT that is not in harmony with Commerce's Final Scope Ruling. Thus, this notice is published in fulfillment of the publication requirements of *Timken.*

Amended Final Scope Ruling

In accordance with the CIT's August 20, 2025, final judgment, Commerce is providing notice of its Final Scope Ruling, finding that calcium glycinate is subject to the scope of the *Orders.*

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[1] *See* Memorandum, ''Scope Ruling on Calcium Glycinate,'' dated October 11, 2023 (Final Scope Ruling); *see also Glycine from India and Japan: Amended Final Affirmative Antidumping Duty Determination and Antidumping Duty Order,* 84 FR 29170 (June 21, 2019); *Glycine from Thailand: Antidumping Duty Order,* 84 FR 55912 (October 18, 2019); and *Glycine from India and the People's Republic of China: Countervailing Duty Order,* 84 FR 29173 (June 1, 2019) (collectively, the *Orders*).

[2] *Id.*

[3] *See Deer Park Glycine, LLC* v. *United States,* Slip Op. 25–38 (April 10, 2025) (*Deer Park Glycine, LLC* v. *United States*).

[4] *See Final Results of Redetermination Pursuant to Court Remand, Deer Park Glycine, LLC* v. *United States,* Court No. 23–00238, Slip Op. 25–38, dated July 9, 2025 (*Final Remand*)

[5] *See Deer Park Glycine, LLC* v. *United States.*

[6] *See Timken Co.* v. *United States,* 893 F.2d 337 (Fed. Cir. 1990) (*Timken*).

[7] *See Diamond Sawblades Manufacturers Coalition* v. *United States,* 626 F.3d 1374 (Fed. Cir. 2010) (*Diamond Sawblades*).

Liquidation of Suspended Entries

Commerce will instruct U.S. Customs and Border Protection (CBP) to suspend, and continue to suspend liquidation of, entries of calcium glycinate and to require cash deposits at the appropriate rates. In the event that the CIT's ruling is not appealed or is upheld on appeal, Commerce will instruct CBP to liquidate entries of calcium glycinate appropriately.

Notification to Interested Parties

This notice is issued and published in accordance with sections 516A(c) and (e) and 777(i)(1) of the Act.

Dated: September 5, 2025.

Christopher Abbott,

Deputy Assistant Secretary for Policy and Negotiations, performing the non-exclusive functions and duties of the Assistant Secretary for Enforcement and Compliance.

[FR Doc. 2025–17461 Filed 9–10–25; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[A–455–806]

Certain Preserved Mushrooms From Poland: Preliminary Results of the Administrative Review of the Antidumping Duty Order; 2022–2024

AGENCY: Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce.

SUMMARY: The U.S. Department of Commerce (Commerce) is conducting an administrative review of the antidumping duty (AD) order on certain preserved mushrooms (mushrooms) from Poland for the period of review (POR) November 3, 2022, through April 30, 2024. Commerce preliminarily finds that the sole producer/exporter subject to this administrative review, Okechamp S.A. (Okechamp), made sales of subject merchandise at prices below normal value (NV) during the POR. We invite interested parties to comment on these preliminary results.

DATES: Applicable September 11, 2025.

FOR FURTHER INFORMATION CONTACT: Monica Gillis, AD/CVD Operations, Office V, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–6384.

SUPPLEMENTARY INFORMATION:

Background

On May 23, 2023, Commerce published in the **Federal Register** the AD order on mushrooms from Poland.[1] On July 5, 2024, Commerce initiated an administrative review of the *Order,* in accordance with section 751(a) of the Tariff Act of 1930, as amended (the Act).[2] This review covers one producer/exporter of subject merchandise, Okechamp.

On July 22, 2024, Commerce tolled certain deadlines in this administrative proceeding by seven days.[3] Additionally, on December 9, 2024, Commerce tolled the deadline to issue the preliminary results in this administrative review by 90 days.[4] On April 8, 2025, Commerce extended the time limit for completing the preliminary results of this review until September 5, 2025.[5] For details regarding the events that occurred subsequent to the initiation of the review, *see* the Preliminary Decision Memorandum.[6]

Scope of the Order

The products covered by the scope of the *Order* are mushrooms from Poland. For a complete description of the scope, *see* the Preliminary Decision Memorandum.

Methodology

Commerce is conducting this review in accordance with section 751(a) of the Act. We calculated export price and NV in accordance with sections 772 and 773 of the Act, respectively.

For a full description of the methodology underlying these preliminary results, *see* the Preliminary Decision Memorandum. A list of topics included in the Preliminary Decision Memorandum is included as an appendix to this notice. The Preliminary Decision Memorandum is a public document and is made available to the public 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 is available at *https://access.trade.gov/public/FRNoticesListLayout.aspx.*

Preliminary Results of Review

We preliminarily determine that the following weighted-average dumping margin exists for the period November 3, 2022, through April 30, 2024:

Exporter/producer	Weighted-average dumping margin (percent)
Okechamp S.A	2.55

Disclosure

Commerce intends to disclose the calculations and analysis that it performed in these preliminary results of review to parties to the proceeding within five days of any public announcement of these preliminary results or, if there is no public announcement, within five days of the date of publication of this notice in the **Federal Register** in accordance with 19 CFR 351.224(b).

Public Comment

Case briefs or other written comments may be submitted to the Assistant Secretary for Enforcement and Compliance. Pursuant to 19 CFR 351.309(c)(1)(ii), we have modified the deadline for interested parties to submit case briefs to Commerce to no later than 21 days after the date of the publication of this notice.[7] 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.[8] 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.[9]

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 briefs that should be limited to five pages total, including footnotes. In this review, we instead request that interested parties provide at the beginning of their briefs a public, executive summary for each

[1] *See Certain Preserved Mushrooms from the Netherlands, Poland, and Spain: Antidumping Duty Orders,* 88 FR 33096 (May 23, 2023) (*Order*).

[2] *See Initiation of Antidumping and Countervailing Duty Administrative Reviews,* 89 FR 55567 (July 5, 2024).

[3] *See* Memorandum, ''Tolling of Deadlines for Antidumping and Countervailing Duty Proceedings,'' dated July 22, 2024.

[4] *See* Memorandum, ''Tolling of Deadlines for Antidumping and Countervailing Duty Proceedings,'' dated December 9, 2024.

[5] *See* Memorandum, ''Certain Preserved Mushrooms from Poland: Extension of Deadline for Preliminary Results of Antidumping Duty Administrative Review,'' dated April 8, 2025.

[6] *See* Memorandum, ''Decision Memorandum for the Preliminary Results of the Administrative Review of the Antidumping Duty Order on Certain Preserved Mushrooms from Poland; 2022–2024,'' dated concurrently with, and hereby adopted by, this notice (Preliminary Decision Memorandum).

[7] *See* 19 CFR 351.309(d).

[8] *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*).

[9] *See* 19 CFR 351.309(c)(2) and (d)(2).

issue raised in their briefs.[10] Further, we request that interested parties limit their public executive summary of each issue to no more than 450 words, not including citations. We intend to use the public executive summaries as the basis of the comment summaries included in the issues and decision memorandum that will accompany the final results in this administrative review. We request that interested parties include footnotes for relevant citations in the public 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).[11]

Interested parties who wish to request a hearing must submit a written request to the Assistant Secretary for Enforcement and Compliance, filed electronically via ACCESS.[12] 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 issues to be discussed. Issues raised in the hearing will be limited to those raised in case and rebuttal briefs.[13] If a request for a hearing is made, Commerce intends to hold the hearing at a time and date to be determined. A hearing request must be filed electronically using ACCESS and received in its entirety by 5:00 p.m. Eastern Time within 30 days after the publication of this notice.

Assessment Rates

Upon completion of the final results of this administrative review, Commerce shall determine, and U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries covered by this review.[14] If Okechamp's weighted-average dumping margin is not zero or *de minimis* (*i.e.,* less than 0.5 percent) in the final results of this review, we will calculate importer-specific *ad valorem* AD assessment rates based on the ratio of the total amount of dumping calculated for the importer's examined sales to the total entered value of those same sales in accordance with 19 CFR 351.212(b)(1). If Okechamp's weighted-average dumping margin is zero or *de minimis* in the final results of review, or if an importer-specific assessment rate is zero or *de minimis,* Commerce will instruct CBP to liquidate appropriate entries without regard to antidumping duties. The final results of this review shall be the basis for the assessment of antidumping duties on entries of merchandise covered by the final results of this review and for future deposits of estimated duties, where applicable.[15]

In accordance with Commerce's ''automatic assessment'' practice, for entries of subject merchandise during the POR produced by Okechamp for which it did not know that the merchandise was destined for the United States, we will instruct CBP to liquidate those entries at the all-others rate established in the original less-than-fair value (LTFV) investigation (*i.e.,* 34.32 percent) [16] if there is no rate for the intermediate company(ies) involved in the transaction.[17]

Commerce intends to issue assessment instructions to CBP no earlier than 35 days after the date of publication of the final results of this review in the **Federal Register**. If a timely summons is filed at the U.S. Court of International Trade, the assessment instructions will direct CBP not to liquidate relevant entries until the time for parties to file a request for a statutory injunction has expired (*i.e.,* within 90 days of publication).

Cash Deposit Requirements

The following cash deposit requirements will be effective for all shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the publication date of the finals results of this administrative review, as provided by section 751(a)(2)(C) of the Act: (1) the cash deposit rate for Okechamp in the final results of review will be equal to the weighted-average dumping margin established in the final results of this administrative review except if the rate is less than 0.50 percent and, therefore, *de minimis* within the meaning of 19 CFR 351.106(c)(1), in which case the cash deposit rate will be zero; (2) for merchandise exported by producers or exporters not covered in this review but covered in a prior segment of the proceeding, the cash deposit rate will continue to be the company-specific rate published for the most recently-completed segment of this proceeding in which they were reviewed; (3) if the exporter is not a firm covered in this review or the original LTFV investigation but the producer is, then the cash deposit rate will be the rate established for the most recently-completed segment of this proceeding for the producer of the merchandise; (4) the cash deposit rate for all other producers or exporters will continue to be 34.32 percent,[18] the all-others rate established in the LTFV investigation. These cash deposit requirements, when imposed, shall remain in effect until further notice.

Final Results of Review

Unless otherwise extended, Commerce intends to issue the final results of this administrative review, including the results of its analysis of the issues raised in any written briefs, not later than 120 days after the date of publication of this notice, pursuant to section 751(a)(3)(A) of the Act and 19 CFR 351.213(h)(1).

Notification to Importers

This notice also serves as a preliminary reminder to importers of their responsibility under 19 CFR 351.402(f)(2) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this POR. Failure to comply with this requirement could result in Commerce's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of doubled antidumping duties.

Notification to Interested Parties

This administrative review and notice are issued and published in accordance with sections 751(a)(1) and 777(i)(1) of the Act, and 19 CFR 351.213 and 351.221(b)(4).

Dated: September 5, 2025.

Christopher Abbott,

Deputy Assistant Secretary for Policy and Negotiations, Performing the non-exclusive functions and duties of the Assistant Secretary for Enforcement and Compliance.

Appendix

List of Topics Discussed in the Preliminary Decision Memorandum

I. Summary
II. Background
III. Scope of the *Order*
IV. Discussion of the Methodology
V. Currency Conversion
VI. Recommendation

[FR Doc. 2025–17456 Filed 9–10–25; 8:45 am]

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[10] We use the term ''issue'' here to describe an argument that Commerce would normally address in a comment of the Issues and Decision Memorandum.

[11] *See APO and Service Final Rule.*

[12] *See* 19 CFR 351.310(c).

[13] *See* 19 CFR 351.310.

[14] *See* 19 CFR 351.212(b)(1).

[15] *See* section 751(a)(2)(C) of the Act.

[16] *See Order,* 88 FR at 33097.

[17] 17 For a full discussion of this practice, *see Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties,* 68 FR 23954 (May 6, 2003).

[18] *See Order,* 88 FR at 33097.

DEPARTMENT OF COMMERCE

International Trade Administration

[A–533–867]

Welded Stainless Pressure Pipe From India: Final Results of Antidumping Duty Administrative Review; 2022–2023

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

SUMMARY: The U.S. Department of Commerce (Commerce) determines that Suncity Metals and Tubes Private Limited (Suncity Metals), the sole producer/exporter subject to this administrative review, made sales of welded stainless pressure pipe (WSPP) from India at less than normal value during the period of review (POR) November 1, 2022, through October 31, 2023.

DATES: Applicable September 11, 2025.

FOR FURTHER INFORMATION CONTACT: John Conniff, 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) 482–1009.

SUPPLEMENTARY INFORMATION:

Background

On December 13, 2024, Commerce published the *Preliminary Results* for this review in the **Federal Register** and invited interested parties to comment on those results.[1] On January 8, 2025, Suncity Metals responded to Commerce's third supplemental questionnaire, which requested information on Suncity Metal's name change from Suncity Sheets Pvt. Ltd. to Suncity Metals and Tubes Pvt. Ltd. India and other issues.[2] On January 29, 2025, Commerce notified parties of the final briefing schedule for interested parties to submit comments concerning the *Preliminary Results* and any factual information received since the issuance thereof.[3] No interested party submitted comments or requested a hearing for this administrative review. On February 10, 2025, Suncity submitted its case brief and on February 18, 2025, the Felker Brother Corporation (the petitioner) submitted a rebuttal brief.[4] On August 8, 2025, we issued a post-preliminary analysis and accompanying briefing schedule.[5] We did not receive comments from any parties. On June 30, 2025, we extended the deadline for the final results until September 5, 2025.[6] Commerce conducted this review in accordance with section 751(a)(1)(B) of the Tariff Act of 1930, as amended (the Act).

Final Successor-in-Interest Determination

Pursuant to section 751(b)(1) of the Act and 19 CFR 351.216(d), when Commerce receives information concerning, or a request from an interested party for a review of, an order which shows changed circumstances sufficient to warrant a review of such order after publishing notice of the review in the **Federal Register**, Commerce shall conduct a review of the determination based on those changed circumstances. While successor-in-interest determinations are often made in the context of distinct changed circumstance reviews (CCRs) to consider the applicability of cash deposit rates after there have been changes in the name or the structure of a respondent, such as a merger or spinoff (successor-in-interest, or successorship, determinations), Commerce has also made successor-in-interest determinations in the context of administrative reviews and investigations.[7]

In this review, Suncity Metals, formerly known as Suncity Sheets Pvt. Ltd. (Suncity Sheets), made a legal name change and became the revised name of the legal entity and provided information necessary to evaluate the statements in support of the successorship claim within the context of Commerce's established criteria.[8] We found that, based on the totality of the circumstances and in the absence of any contradictory information on the record, Suncity Metals is the successor-in-interest to Suncity Sheets, as the change in the company's name was not accompanied by significant changes to its management and operations, production facilities, supplier relationships, and/or customer base.[9] Thus, we preliminarily concluded that Suncity Metals operates as essentially the same business entity as Suncity Sheets is the successor-in-interest and that Suncity Metals should receive the same antidumping duty (AD) cash deposit rate and customs number as its predecessor, with respect to subject merchandise.[10]

No party commented on this request, and Commerce received no subsequent information or argument to compel reconsideration thereof. Therefore, we find Suncity Metals to be the successor-in-interest to Suncity Sheets, and that Suncity Metals should receive the same AD cash deposit rate and customs number as its predecessor.

Scope of the Order [11]

The merchandise subject to the *Order* is welded stainless pressure pipe from India. For a complete description of the scope, *see* the Issues and Decision Memorandum.[12]

Analysis of the Comments Received

All issues raised in the case and rebuttal briefs that were submitted by interested parties are addressed in the Issues and Decision Memorandum. A list of the issues which parties raised, and to which we respond in the Issues and Decision Memorandum, is attached in the appendix to this notice. The Issues and Decision Memorandum is a public document and is on file electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic System (ACCESS). ACCESS is available to registered users at *https://access.trade.gov.* In addition, the Issues and Decision Memorandum can be accessed directly at *https://access.trade.gov/public/FRNoticesListLayout.aspx.*

Changes Since the Preliminary Results

There have been changes since the *Preliminary Results* based on a

[1] *See Welded Stainless Pressure Pipe from India: Preliminary Results and Partial Rescission of Antidumping Duty Administrative Review; 2022–2023,* 89 FR 100954 (December 13, 2024) (*Preliminary Results*), and accompanying Preliminary Decision Memorandum.

[2] *See* Suncity Metal's Letter, ''Response to Third Supplemental Questionnaire,'' dated January 8, 2025.

[3] *See* Memorandum, ''Briefing Schedule,'' dated January 29, 2025.

[4] *See* Suncity Metal's Letter, ''Case Brief,'' dated February 10, 2025; *see also* Petitioner's Letter, ''Rebuttal Brief,'' dated February 18, 2025.

[5] *See* Memorandum, ''Post-Preliminary Analysis for the Administrative Review of Welded Stainless Pressure Pipe from India,'' dated August 8, 2025; *see also* Memorandum, ''Briefing Schedule for Post-Preliminary Analysis,'' dated August 11, 2025.

[6] *See* Memorandum, ''Extension of Deadline for Final Results of Antidumping Duty Administrative Review,'' dated June 30, 2025.

[7] *See, e.g., Certain Frozen Warmwater Shrimp from the People's Republic of China: Final Results of Antidumping Duty Administrative Review and Final Determination of No Shipments; 2018–2019,* 85 FR 83891 (December 23, 2020), and accompanying Issues and Decision Memorandum at Comment 3.

[8] *See* Suncity Metals Letter, ''Submission of Response to Third Supplemental Questionnaire,''dated January 8, 2025, at 3–10.

[9] *Id.*

[10] *Id.*

[11] *See Welded Stainless Pressure Pipe from India: Antidumping and Countervailing Duty Orders,* 81 FR 81062 (November 17, 2016) (*Order*).

[12] *See* Memorandum, ''Issues and Decision Memorandum for the Final Results of Antidumping Duty Administrative Review: Welded Stainless Pressure Pipe from India; 2022–2023,'' dated concurrently with, and hereby adopted by, this notice (Issues and Decision Memorandum).

subsequent supplemental questionnaire response and updated cost database, which are detailed in the final analysis memorandum.[13] Additionally, as mentioned above, we find that Suncity Metals is the successor-in-interest to Suncity Sheets. Lastly, we have applied Commerce's price difference methodology consistent with the post-preliminary analysis.

Final Results of Review

Commerce determines that the following weighted-average dumping margin exists for the period November 1, 2022, through October 31, 2023:

Exporter/producer	Weighted-average dumping margin (percent)
Suncity Metals and Tubes Private Limited	21.77

Disclosure

Commerce intends to disclose the calculations performed for these final results to interested parties in this review under administrative protective order (APO) within five days of the date of publication of this notice in the **Federal Register**, in accordance with 19 CFR 351.224(b).

Assessment Rate

Pursuant to section 751(a)(2)(C) of the Act, and 19 CFR 351.212(b)(1), Commerce will determine, and U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries covered by this review. Pursuant to 19 CFR 351.212(b)(1), for Suncity Metals, we calculated importer-specific antidumping duty assessment rates by aggregating the total amount of dumping calculated for the examined sales of each importer and dividing each of these amounts by the total entered value associated with those sales.[14] Where either the respondent's weighted-average dumping margin is zero or *de minimis* within the meaning of 19 CFR 351.106(c)(1), or an importer specific assessment rate is zero or *de minimis,* we will instruct CBP to liquidate the appropriate entries without regard to antidumping duties.

Commerce's ''automatic assessment'' will apply to entries of subject merchandise during the POR produced by Suncity Metals for which the company did not know that the merchandise it sold to an intermediary (*e.g.,* a reseller, trading company, or exporter) was destined for the United States. In such instances, we will instruct CBP to liquidate such entries at the all-others rate if there is no rate for the intermediate company(ies) involved in the transaction.[15]

Commerce intends to issue assessment instructions to CBP no earlier than 35 days after the date of publication of the final results of this review in the **Federal Register**. If a timely summons is filed at the U.S. Court of International Trade, the assessment instructions will direct CBP not to liquidate relevant entries until the time for parties to file a request for a statutory injunction has expired (*i.e.,* within 90 days of publication).

Cash Deposit Requirements

The following cash deposit requirements will be effective for all shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the publication date of the final results of this administrative review, as provided by section 751(a)(2)(C) of the Act: (1) the cash deposit rates for the company identified above in the ''Final Results of Review'' will be equal to the company-specific weighted-average dumping margin established in the final results of this administrative review; (2) for merchandise exported by a company not covered in this administrative review but covered in a completed prior segment of the proceeding, the cash deposit rate will continue to be the company-specific rate published for the most recently completed segment of this proceeding; (3) if the exporter is not a firm covered in this review or completed prior segment of this proceeding but the producer is, the cash deposit rate will be the company-specific rate established for the most recently-completed segment of this proceeding for the producer of the subject merchandise; and (4) the cash deposit rate for all other producers or exporters will continue to be 8.35 percent, the rate established in the investigation of this proceeding.[16] These cash deposit requirements, when imposed, shall remain in effect until further notice.

Notification to Importers

This notice serves as a final reminder to importers of their responsibility under 19 CFR 351.402(f)(2) to file a certificate regarding the reimbursement of antidumping and/or countervailing duties prior to liquidation of the relevant entries during this POR. Failure to comply with this requirement could result in Commerce's presumption that reimbursement of antidumping and/or countervailing duties has occurred and the subsequent assessment of double antidumping duties, and/or an increase in the amount of antidumping duties by the amount of the countervailing duties.

Administrative Protective Order

This notice also serves as a final reminder to parties subject to an APO of their responsibility concerning the return or destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3), which continues to govern business proprietary information in this segment of the proceeding. Timely written notification of the return or destruction of APO materials, or conversion to judicial protective order, is hereby requested. Failure to comply with the regulations and the term of an APO is a sanctionable violation.

Notification to Interested Parties

We are issuing and publishing this notice in accordance with sections 751(a)(1) and 777(i)(1) of the Act, and 19 CFR 351.221(b)(5) and 19 CFR 351.213(h).

Dated: September 5, 2025.

Christopher Abbott,

Deputy Assistant Secretary for Policy and Negotiations, performing the non-exclusive functions and duties of the Assistant Secretary for Enforcement and Compliance.

Appendix

List of Topics Discussed in the Issues and Decision Memorandum

I. Summary
II. Background
III. Scope of the *Order*
IV. Changes Since the *Preliminary Results*
V. Discussion of the Issues
Comment 1: Whether Commerce Used an Incorrect Cost Database
Comment 2: Inclusion of Countervailing Duties, Freight Revenue, and Insurance Revenue in U.S. Price
Comment 3: Whether Suncity Metals is the Successor-in-Interest to Suncity Sheets
VI. Recommendation

[FR Doc. 2025–17464 Filed 9–10–25; 8:45 am]

BILLING CODE 3510–DS–P

[13] For further discussion, *see* Memorandum, ''Suncity Metals Final Analysis Memorandum,'' dated concurrently with this notice.

[14] As explained above, we determined that Suncity Metals is the successor-in-interest to Suncity Sheets Pvt. Ltd. Accordingly, we intend to issue assessment instructions covering entries produced and exported by Suncity Sheets Pvt. Ltd. during the POR at the rate established in these final results.

[15] *See Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties,* 68 FR 23954 (May 6, 2023).

[16] *See Order,* 81 FR at 81063.

DEPARTMENT OF COMMERCE

International Trade Administration

[A–580–887]

Carbon and Alloy Steel Cut-to-Length Plate From the Republic of Korea: Preliminary Results of Antidumping Duty Administrative Review; 2023–2024

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

SUMMARY: The U.S. Department of Commerce (Commerce) determines that POSCO, POSCO International Corporation, POSCO MS, Taechang Steel Co., Ltd., and Winsteel Co., Ltd., (collectively, the POSCO single entity) did not make sales of cut to length plate (CTL plate) from the Republic of Korea (Korea) in the United States below normal value (NV) during the period of review (POR). The POR is May 1, 2023, through April 30, 2024. Interested parties are invited to comment on these preliminary results.

DATES: Applicable September 11, 2025.

FOR FURTHER INFORMATION CONTACT: Jaron Moore, AD/CVD Operations, Office VIII, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–3640.

SUPPLEMENTARY INFORMATION:

Background

On May 25, 2017, Commerce published in the **Federal Register** the antidumping duty (AD) order on CTL plate from Korea.[1] On May 2, 2024, Commerce published a notice of opportunity to request an administrative review of the *Order*.[2] On July 5, 2024, based on timely requests for review, in accordance with 19 CFR 351.221(c)(1)(i), we initiated an administrative review of the *Order* covering the POSCO single entity.[3] On July 22, 2024, and December 9, 2024, Commerce tolled certain deadlines in this administrative review by seven and 90 days, respectively.[4] On April 17, 2025, we extended the preliminary results of this review to no later than September 5, 2025.[5]

For a complete description of the events that followed the initiation of this review, *see* the Preliminary Decision Memorandum.[6] A list of the topics discussed in the Preliminary Decision Memorandum is attached as an appendix 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 *http://access.trade.gov.* In addition, a complete version of the Preliminary Decision Memorandum can be accessed at *https://access.trade.gov/public/FRNoticesListLayout.aspx.*

Scope of the Order

The merchandise subject to the *Order* is CTL plate. For a complete description of the merchandise subject to the *Order, see* the Preliminary Decision Memorandum.

Methodology

Commerce is conducting this review in accordance with section 751(a)(1)(B) and (2) of the Tariff Act of 1930, as amended (the Act). Commerce has calculated constructed export prices in accordance with section 772(b) of the Act. NV is calculated in accordance with section 773 of the Act. For a full description of the methodology underlying our conclusions, *see* the Preliminary Decision Memorandum.

Preliminary Results of the Review

Commerce preliminarily determines that the following estimated weighted-average dumping margin exists for the period May 1, 2023, through April 30, 2024:

Exporter/producer	Weighted average dumping margin (percent)
POSCO Single Entity[7] ...	0.00

Disclosure

Commerce intends to disclose its calculations and analysis performed to interested parties for these preliminary results within five days of any public announcement or, if there is no public announcement, within five days of the date of publication in the **Federal Register** of this notice in accordance with 19 CFR 351.224(b).

Public Comment

Case briefs or other written comments may be submitted to the Assistant Secretary for Enforcement and Compliance. Pursuant to 19 CFR 351.309(c)(1)(ii), we have modified the deadline for interested parties to submit case briefs to Commerce to no later than 21 days after the date of the publication of this notice.[8] 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.[9] Interested parties that submit case briefs or rebuttal briefs in this proceeding must

[1] *See Certain Carbon and Alloy Steel Cut-to-Length Plate from Austria, Belgium, France, the Federal Republic of Germany, Italy, Japan, the Republic of Korea, and Taiwan: Amended Final Affirmative Antidumping Determinations for France, the Federal Republic of Germany, the Republic of Korea and Taiwan, and Antidumping Duty Orders,* 82 FR 24096 (May 25, 2017) (*Order*).

[2] *See Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity to Request Administrative Review,* 89 FR 35778 (May 2, 2024).

[3] *See Initiation of Antidumping and Countervailing Duty Administration Reviews,* 89 FR 55567 (July 5, 2024) (*Initiation Notice*).

[4] *See* Memorandum, ''Tolling of Deadlines for Antidumping and Countervailing Duty Proceedings,'' dated July 22, 2024, and Memorandum, ''Tolling of Deadlines for Antidumping and Countervailing Duty Proceedings,'' dated December 9, 2024.

[5] *See* Memorandum, ''Extension of Deadline for the Preliminary Results of the 2023–2024 Antidumping Duty Administrative Review,'' dated April 17, 2025.

[6] *See* Memorandum, ''Decision Memorandum for Preliminary Results of the Antidumping Duty Administrative Review of Certain Carbon and Alloy Steel Cut-To-Length Plate from the Republic of Korea; 2023–2024,'' dated concurrently with, and hereby adopted by, this notice (Preliminary Decision Memorandum).

[7] In a prior segment of this proceeding, Commerce found that POSCO, POSCO International Corporation, POSCO Mobility Solution ((POSCO MS), formerly known as POSCO SPS), and certain distributors and service centers (Taechang Steel Co., Ltd. and Winsteel Co., Ltd.) are affiliated pursuant to section 771(33)(E) of the Act, and further that these companies should be treated as a single entity (collectively, the POSCO single entity) pursuant to 19 CFR 351.401(f). *See Carbon and Alloy Steel Cut-To-Length Plate from the Republic of Korea: Final Results of Antidumping Duty Administrative review; 2019–2020,* 87 FR 6483 (February 4, 2022). No changes to the relationship among these entities was reported for this POR; therefore, no change to our affiliation/collapsing finding is warranted. Additionally, in August 2022, Commerce published the final results of a changed circumstances review (CCR), finding that POSCO, following a corporate organizational change in March 2022 (POSCO*), is the successor-in-interest to the pre-reorganization POSCO entity (POSCO(I)). Furthermore, POSCO* is entitled to POSCO(I)'s AD cash deposit rates with respect to entries of subject merchandise in this proceeding. Further, this CCR recognized that POSCO SPS is now recognized as POSCO MS effective January 1, 2022. For more detail, *see Non-Oriented Electrical Steel from the Republic of Korea, Certain Corrosion-Resistant Steel Products from the Republic of Korea, Certain Cold-Rolled Steel Flat Products from the Republic of Korea, Certain Hot-Rolled Steel Flat Products from the Republic of Korea, Certain Carbon and Alloy Steel Cut-to-Length Plate from the Republic of Korea, and Carbon and Alloy Steel Wire Rod from the Republic of Korea: Final Results of Antidumping Duty Changed Circumstances Review,* 87 FR 52910 (August 30, 2022).

[8] *See* 19 CFR 351.309.

[9] *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 Procedures*).

submit: (1) a table of contents listing each issue; and (2) a table of authorities.[10]

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 review, we instead request that interested parties provide at the beginning of their briefs a public, executive summary for each issue raised in their briefs.[11] 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 results in this administrative review. We request that interested parties include footnotes for relevant citations in the public 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).[12]

Pursuant to 19 CFR 351.310(c), interested parties who wish to request a hearing, must submit a written request to the Assistant Secretary for Enforcement and Compliance, filed electronically via ACCESS. Requests should contain: (1) the party's name, address, and telephone number; (2) the number of participants; and (3) a list of issues to be discussed. Issues raised in the hearing will be limited to those raised in the respective case briefs. An electronically filed hearing request must be received successfully in its entirety by Commerce's electronic records system, ACCESS, by 5 p.m. Eastern Time within 30 days after the date of publication of this notice.

Assessment Rate

Pursuant to section 751(a)(2)(A) of the Act and 19 CFR 351.212(b)(1), upon completion of the final results of this administrative review, Commerce shall determine, and U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries covered by this review. The final results of this review shall be the basis for the assessment of antidumping duties on entries of merchandise covered by this review and for future deposits of estimated duties, where applicable.[13]

Pursuant to 19 CFR 351.212(b)(1), if the POSCO single entity's weighted-average dumping margin is not zero or *de minimis* (*i.e.,* less than 0.5 percent) in the final results of this review, we intend to calculate importer-specific *ad valorem* antidumping duty assessment rates based on the ratio of the total amount of antidumping duties calculated for the examined sales to the total entered value of those same sales. If the POSCO single entity's weighted-average dumping margin in the final results is zero or *de minimis* within the meaning of 19 CFR 351.106(c)(1), or an importer-specific rate is zero or *de minimis* within the meaning of 19 CFR 351.106(c)(2), we intend to instruct CBP to liquidate the appropriate entries without regard to antidumping duties.

Commerce's ''automatic assessment'' practice will apply to entries of subject merchandise during the POR produced by the POSCO single entity for which it did not know that the merchandise it sold to an intermediary (*e.g.,* a reseller, trading company, or exporter) was destined for the United States. In such instances, we will instruct CBP to liquidate those entries at the all-others rate established in the original less-than-fair value (LTFV) investigation if there is no rate for the intermediate company involved in the transaction.[14]

Commerce intends to issue assessment instructions to CBP no earlier than 35 days after the date of publication of the final results of this review in the **Federal Register**. If a timely summons is filed at the U.S. Court of International Trade, the assessment instructions will direct CBP not to liquidate relevant entries until the time for parties to file a request for a statutory injunction has expired (*i.e.,* within 90 days of publication).

Cash Deposit Requirements

The following deposit requirements will be effective upon publication of the notice of final results of administrative review for all shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the publication date, as provided by section 751(a)(2)(C) of the Act: (1) the cash deposit rate for the POSCO single entity will be equal to the weighted-average dumping margin established in the final results of this review, except if the rate is *de minimis* within the meaning of 19 CFR 351.106(c)(1) (*i.e.,* less than 0.50 percent), in which case the cash deposit rate will be zero; (2) for merchandise exported by a company not covered in this review but covered in a prior completed segment of the proceeding, the cash deposit rate will continue to be the company-specific rate published for the most recently-completed segment; (3) if the exporter is not a firm covered in this review, a prior review, or the less-than-fair-value investigation, but the producer is, the cash deposit rate will be the rate established for the most recently-completed segment for the producer of the merchandise; and (4) the cash deposit rate for all other producers and exporters will continue to be 7.10 percent, the all-others rate established in the LTFV investigation.[15] These cash deposit requirements, when imposed, shall remain in effect until further notice.

Final Results of Review

Unless the deadline is extended pursuant to section 751(a)(3)(A) of the Act and 19 CFR 351.213(h)(2), Commerce will issue the final results of this administrative review, including the results of our analysis of the issues raised by the parties in their case briefs, not later than 120 days after the date of publication of this notice, pursuant to section 751(a)(3)(A) of the Act.

Notification to Importers

This notice also serves as a preliminary reminder to importers of their responsibility under 19 CFR 351.402(f)(2) to file a certificate regarding the reimbursement of antidumping and/or countervailing duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in the Secretary's presumption that reimbursement of antidumping and/or countervailing duties occurred and the subsequent assessment of double antidumping duties, and/or an increase in the amount of the antidumping duties by the amount of the countervailing duties.

Notification to Interested Parties

We are issuing and publishing these results in accordance with sections 751(a)(1) and 777(i)(1) of the Act, and 19 CFR 351.221(b)(4).

[10] *See* 19 CFR 351.309(c)(2) and (d)(2).

[11] We use the term ''issue'' here to describe an argument that Commerce would normally address in a comment of the Issues and Decision Memorandum.

[12] *See APO and Service Procedures.*

[13] *See* section 751(a)(2)(C) of the Act.

[14] For a full discussion of this practice, *see Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties,* 68 FR 23954 (May 6, 2003).

[15] *See Order.*

Dated: September 5, 2025.

Christopher Abbott,

Deputy Assistant Secretary for Policy and Negotiations, performing the non-exclusive functions and duties of the Assistant Secretary for Enforcement and Compliance.

Appendix

List of Topics Discussed in the Preliminary Decision Memorandum

I. Summary
II. Background
III. Scope of the *Order*
IV. Discussion of the Methodology
V. Currency Conversion
VI. Recommendation

[FR Doc. 2025–17553 Filed 9–10–25; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[A–533–823]

Silicomanganese From India: Preliminary Results of Antidumping Duty Administrative Review; 2023–2024

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

SUMMARY: The U.S. Department of Commerce (Commerce) is conducting an administrative review of the antidumping duty (AD) order on silicomanganese from India for the period of review (POR) May 1, 2023, through April 30, 2024. Commerce preliminarily finds that silicomanganese from India was not sold in the United States at prices below normal value during the POR. Interested parties are invited to comment on these preliminary results of review.

DATES: Applicable September 11, 2025.

FOR FURTHER INFORMATION CONTACT: Gene H. Calvert, AD/CVD Operations, Office II, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–3586.

SUPPLEMENTARY INFORMATION:

Background

On May 23, 2002, Commerce published in the **Federal Register** the AD order on silicomanganese from India.[1] On May 2, 2024, Commerce published a notice of opportunity to request an administrative review of the *Order* covering the POR.[2] On July 5, 2024, based on timely requests for an administrative review, Commerce initiated this administrative review of the *Order* with respect to one company, Maithan Alloys Limited.[3]

On July 22, 2024, Commerce tolled certain deadlines in this administrative proceeding by seven days.[4] On December 9, 2024, Commerce tolled certain deadlines in this administrative review by an additional 90 days.[5] On May 7, 2025, Commerce extended the deadline for the preliminary results of this review by 110 days.[6] On August 21, 2025, Commerce further extended the deadline for these preliminary results by 10 days.[7] Accordingly, the deadline for Commerce to issue these preliminary results is September 5, 2025. For a complete description of the events that occurred since the initiation of this review, *see* the Preliminary Decision Memorandum.[8]

Scope of the Order

The products covered by this *Order* are all forms, sizes and compositions of silicomanganese from India, except low-carbon silicomanganese, including silicomanganese briquettes, fines and slag. For a full description of the scope of the *Order, see* the Preliminary Decision Memorandum.

Methodology

Commerce is conducting this review in accordance with section 751(a) of the Tariff Act of 1930, as amended (the Act). We calculated export price and normal value in accordance with sections 772 and 773 of the Act, respectively. For a full description of the methodology underlying these preliminary results, *see* the Preliminary Decision Memorandum. A list of the topics discussed in the Preliminary Decision Memorandum is attached as the appendix to this notice. The Preliminary Decision Memorandum is a public document and is made available to the public 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 public version of the Preliminary Decision Memorandum can be accessed directly at *https://access.trade.gov/public/FRNotices ListLayout.aspx.*

Preliminary Results of Review

We preliminarily determine that the following estimated weighted-average dumping margin exists for the period May 1, 2023, through April 30, 2024:

Producer/exporter	Weighted-average dumping margin (percent)
Maithan Alloys Limited ...	* 0.48

* *De minimis.*

Disclosure

Commerce intends to disclose its calculations performed in the preliminary results of this administrative review to interested parties within five days of any public announcement or, if there is no public announcement, within five days after the date of publication of this notice in accordance with 19 CFR 351.224(b).

Public Comment

Case briefs or other written comments may be submitted to the Assistant Secretary for Enforcement and Compliance.[9] Pursuant to 19 CFR 351.309(c)(1)(ii), we have modified the deadline for interested parties to submit case briefs to Commerce to no later than 21 days after the date of the publication of this notice.[10] 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.[11] Interested parties who submit case briefs or rebuttal briefs in this administrative review must submit: (1) a table of contents listing each issue; and (2) a table of authorities.[12]

As provided under 19 CFR 351.309(c)(2) and (d)(2), in prior

[1] *See Notice of Amended Final Determination of Sales at Less Than Fair Value and Antidumping Duty Orders: Silicomanganese from India, Kazakhstan, and Venezuela,* 67 FR 36149 (May 23, 2002) (*Order*).

[2] *See Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity to Request Administrative Review and Join Annual Inquiry Service List,* 89 FR 35778 (May 2, 2024).

[3] *See Initiation of Antidumping and Countervailing Duty Administrative Reviews,* 89 FR 55567 (July 5, 2024).

[4] *See* Memorandum, ''Tolling of Deadlines for Antidumping and Countervailing Duty Proceedings,'' dated July 22, 2024.

[5] *See* Memorandum, ''Tolling of Deadlines for Antidumping and Countervailing Duty Proceedings,'' dated December 9, 2024.

[6] *See* Memorandum, ''Extension of Deadline for Preliminary Results of Antidumping Duty Administrative Review,'' dated May 7, 2025.

[7] *See* Memorandum, ''Second Extension of Deadline for Preliminary Results of Antidumping Duty Administrative Review,'' dated August 21, 2025.

[8] *See* Memorandum, ''Decision Memorandum for the Preliminary Results of the Antidumping Duty Administrative Review of Silicomanganese from India; 2023–2024,'' dated concurrently with, and hereby adopted by, this notice (Preliminary Decision Memorandum).

[9] *See* 19 CFR 351.309(c)(1)(ii); *see also* 19 CFR 351.303 (for general filing requirements).

[10] *See* 19 CFR 351.309.

[11] *See* 19 CFR 351.309(d)(1); *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*).

[12] *See* 19 CFR 351.309(c)(2) and (d)(2).

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 administrative review, we instead request that interested parties provide at the beginning of their briefs a public executive summary for each issue raised in their briefs.[13] Further, we request that interested parties limit their public executive summary of each issue to no more than 450 words, not including citations. We intend to use the public executive summaries as the basis of the comment summaries included in the issues and decision memorandum that will accompany the final results of this administrative review. We request that interested parties include footnotes for relevant citations in the public executive summary of each issue.

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 via ACCESS by 5:00 p.m. Eastern Time within 30 days after the date of publication of this notice in the **Federal Register**. Hearing 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 issues to be discussed. Oral presentations at the hearing will be limited to issues raised in the case and rebuttal briefs. If a request for a hearing is made, parties will be notified of the date, time, and location of the hearing.[14] Parties should confirm the date, time, and location of the hearing two days before the scheduled hearing date.

All submissions, including case and rebuttal briefs, as well as hearing requests, should be filed via ACCESS.[15] An electronically filed document must be received successfully in its entirety in ACCESS by 5:00 p.m. Eastern Time on the established deadline. Note that Commerce has amended certain of its requirements pertaining to the service of documents in 19 CFR 351.303(f).[16]

Final Results of Review

Unless the deadline is extended, Commerce intends to issue the final results of this administrative review, including the results of its analysis of issues raised in written briefs, no later than 120 days after the date of publication of this notice in the **Federal Register**, pursuant to section 751(a)(3)(A) of the Act and 19 CFR 351.213(h)(1).

Assessment Rates

Upon completion of this administrative review, in accordance with section 751(a)(2)(A) of the Act, Commerce shall determine, and U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries of subject merchandise covered by this review.[17] If the respondent's weighted-average dumping margin is above *de minimis* (*i.e.,* above 0.50 percent) in the final results of this review, we intend to calculate an importer-specific assessment rate for antidumping duties based on the ratio of the total amount of dumping calculated for each importer's examined sales and the total entered value of those same sales in accordance with 19 CFR 351.212(b)(1).[18] If the respondent's weighted-average dumping margin or an importer-specific assessment rate is zero or *de minimis* in the final results of this review, we intend to instruct CBP to liquidate the appropriate entries without regard to antidumping duties.[19]

For entries of subject merchandise during the POR produced by the individually examined respondent for which it did not know that the merchandise was destined for the United States, we will instruct CBP to liquidate these entries at the all-others rate if there is no rate for the intermediate company(ies) involved in the transaction.

The final results of this administrative review shall be the basis for the assessment of antidumping duties on entries of merchandise covered by the final results of this review and for future deposits of estimated duties, where applicable.[20] Commerce intends to issue assessment instructions regarding the individually examined respondent to CBP no earlier than 35 days after the date of publication of the final results of this review in the **Federal Register**. If a timely summons is filed at the U.S. Court of International Trade, the assessment instructions will direct CBP not to liquidate relevant entries until the time for parties to file a request for a statutory injunction has expired (*i.e.,* within 90 days of publication).

Cash Deposit Requirements

The following cash deposit requirements will be effective upon publication in the **Federal Register** of the notice of the final results of this administrative review for all shipments of subject merchandise entered, or withdrawn from warehouse, for consumption on or after the date of publication as provided by section 751(a)(2)(C) of the Act: (1) the cash deposit rate for the individually examined respondent listed above will be equal to the weighted-average dumping margin established in the final results of this administrative review, except if the rate is less than 0.50 percent and, therefore, *de minimis* within the meaning of 19 CFR 351.106(c)(1), in which case the cash deposit rate will be zero; (2) for merchandise exported by companies not covered in this review but covered in a prior segment of this proceeding, the cash deposit rate will continue to be the company-specific rate published in the completed segment for the most recent period; (3) if the exporter is not a firm covered in this review, a prior review, or the investigation but the producer is, then the cash deposit rate will be the rate established in the most recently completed segment for the producer of the merchandise; (4) the cash deposit rate for all other producers or exporters will continue to be 17.74 percent, the all-others rate established in the underlying less-than-fair value investigation.[21] These cash deposit requirements, when imposed, shall remain in effect until further notice.

Notification to Importers

This notice serves as a preliminary reminder to importers of their responsibility under 19 CFR 351.402(f)(2) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this POR. Failure to comply with this requirement could result in Commerce's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

Notification to Interested Parties

We are issuing and publishing the preliminary results of this administrative review in accordance

[13] We use the term ''issue'' here to describe an argument that Commerce would normally address in a comment of the Issues and Decision Memorandum.

[14] *See* 19 CFR 351.310(d).

[15] *See* 19 CFR 351.303.

[16] *See APO and Service Final Rule,* 88 FR at 67069.

[17] *See* 19 CFR 351.212(b)(1).

[18] *See Antidumping Proceedings: Calculation of the Weighted-Average Dumping Margin and Assessment Rate in Certain Antidumping Proceedings; Final Modification,* 77 FR 8101, 8103 (February 14, 2012).

[19] *Id.,* 77 FR at 8102–03; *see also* 19 CFR 351.106(c)(2).

[20] *See* section 751(a)(2)(C) of the Act.

[21] *See Order,* 67 FR at 36150–35151.

with sections 751(a)(1) and 777(i)(1) of the Act, and 19 CFR 351.221(b)(4).

Dated: September 5, 2025.

Christopher Abbott,

Deputy Assistant Secretary for Policy and Negotiations, performing the non-exclusive functions and duties of the Assistant Secretary for Enforcement and Compliance.

Appendix

List of Topics Discussed in the Preliminary Decision Memorandum

I. Summary
II. Background
III. Scope of the *Order*
IV. Affiliation and Collapsing
V. Discussion of the Methodology
VI. Currency Conversion
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[FR Doc. 2025–17527 Filed 9–10–25; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648–XF106]

Takes of Marine Mammals Incidental to Specified Activities; Taking Marine Mammals Incidental to Seward Cruise Ship Passenger Dock and Terminal Facility Project in Seward, Alaska

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

ACTION: Notice; issuance of incidental harassment authorization.

SUMMARY: In accordance with regulations implementing the Marine Mammal Protection Act (MMPA) as amended, notification is hereby given that NMFS has issued an incidental harassment authorization (IHA) to Turnagain Marine Construction (TMC) for authorization to take marine mammals incidental to Seward Cruise Ship Passenger Dock and Terminal Facility project in Seward, Alaska.

DATES: This authorization is effective for 1 year from the date of notification by the IHA-holder, not to exceed 1 year from the date of issuance (September 5, 2025).

ADDRESSES: Electronic copies of the application and supporting documents, as well as a list of the references cited in this document, may be obtained online at: *https://www.fisheries.noaa.gov/action/incidental-take-authorization-turnagain-marine-constructions-seward-cruise-ship-passenger.* In case of problems accessing these documents, please call the contact listed below.

FOR FURTHER INFORMATION CONTACT: Jenna Harlacher, Office of Protected Resources, NMFS, (301) 427–8401.

SUPPLEMENTARY INFORMATION:

MMPA Background and Determinations

The MMPA prohibits the ''take'' of marine mammals, with certain exceptions. Among the exceptions is section 101(a)(5)(D) of the MMPA (16 U.S.C. 1361 *et seq.*) which directs the Secretary of Commerce (as delegated to NMFS) to allow, upon request, the incidental, but not intentional, taking by harassment of small numbers of marine mammals by U.S. citizens who engage in a specified activity (other than commercial fishing) within a specified geographical region if certain findings are made and the public has an opportunity to comment on the proposed IHA.

Specifically, NMFS will issue an IHA if it finds that the taking will have a negligible impact on the species or stock(s) and will not have an unmitigable adverse impact on the availability of the species or stock(s) for taking for subsistence uses (where relevant). Further, NMFS must prescribe the permissible methods of taking and other ''means of effecting the least [practicable] adverse impact'' on the affected species or stocks and their habitat, paying particular attention to rookeries, mating grounds, and areas of similar significance, and on the availability of such species or stocks for taking for certain subsistence uses (referred to here as ''mitigation''). NMFS must also prescribe requirements pertaining to the monitoring and reporting of such takings. The definitions of key terms, such as ''take,'' ''harassment,'' and ''negligible impact,'' can be found in the MMPA and the NMFS' implementing regulations (see 16 U.S.C. 1362; 50 CFR 216.103).

On July 22, 2025, a notice of NMFS' proposal to issue an IHA to TMC for take of marine mammals incidental to Seward Cruise Ship Passenger Dock and Terminal Facility project in Seward, Alaska was published in the **Federal Register** (90 FR 34463). In that notice, NMFS indicated the estimated numbers, type, and methods of incidental take proposed for each species or stock, as well as the mitigation, monitoring, and reporting measures that would be required should the IHA be issued. The **Federal Register** notice also included analysis to support NMFS' preliminary conclusions and determinations that the IHA, if issued, would satisfy the requirements of section 101(a)(5)(D) of the MMPA for issuance of the IHA. The **Federal Register** notice included web links to a draft IHA for review, as well as other supporting documents.

No substantive comments were received during the public comment period. With the exception of the minor changes described below, there are no changes to the specified activity, the species taken, type, or methods of take, or the mitigation, monitoring, or reporting measures in the proposed IHA notice. No new information that would change any of the preliminary analyses, conclusions, or determinations in the proposed IHA notice has become available since that notice was published and, therefore, the preliminary analyses, conclusions, and determinations included in the proposed IHA are considered final.

Changes From the Proposed IHA to the Final IHA

Changes have been made to correct typographical errors to table 5, and due to those changes in table 5, updates have been made to tables 6, 8, and 9 of the proposed **Federal Register** notice. These tables are reprinted below. In table 5, there were typographical errors in the peak source levels for all Down-the-hole drilling (DTH) piles. Additionally, we revised the RMS source level for DTH driving of the 60- and 72-inch (in) (152.4 centimeters (cm)- and 182.9 cm) piles to be equal to the 48-in (121.9 cm) source level based on the lack of data and uncertainty in extrapolation for very large piles. The previous proxy levels (from 88 FR 19502, March 31, 2023) were estimated before any acoustic data had been gathered on DTH driving of large piles and did not represent the most current understanding of DTH sound production. See below for the revised table 5. As a result of this change, the Level B harassment zone for DTH driving of 60- and 72-in piles increased to 34,145 m in table 6 and the maximum harassment zone has been revised in table 9. In table 8, take by Level B harassment changed for gray whales (changed from two Level B takes to three Level B takes) and take by Level A and Level B harassment changed for fin whales (changed from two Level A and six Level B takes to three Level A and eight Level B takes) based on the increased Level B isopleth for 60- and 72-in DTH activities. None of these minor changes affect or change the analysis or the findings in the proposed IHA notice.

TABLE 5—ESTIMATES OF MEAN UNDERWATER SOUND LEVELS GENERATED DURING IN-WATER VIBRATORY AND IMPACT PILE INSTALLATION AND VIBRATORY PILE REMOVAL

Method	Pile size and type	Proxy sound source levels at 10m			Reference
		Peak (dB re 1 μPa)	SEL (dB re 1 μPa²s)	RMS SPL (dB re 1 μPa)	
No Bubble Curtain in use (Unattenuated)					
Vibratory removal	H-pile			160	NMFS, 2023.
Vibratory removal	20-in steel pile			163	U.S. Navy, 2013.
Vibratory Installation and removal	36-in steel pile (temporary)			166	NMFS, 2023.
Vibratory Installation	48-in steel pile			171	U.S. Navy, 2013.
Impact Installation	48-in steel pile	213	179	195	Caltrans, 2020.
DTH	36-in steel pile (temporary)	194	164	174	Denes *et al.,* 2019; NMFS, 2022a; Reyff and Heyvaert, 2019; Reyff, 2020.
DTH	48-in steel pile	198	168	178	NMFS Communication.
Bubble Curtain in use (Attenuated) [1]					
Vibratory Installation	48, 60, 72-in steel pile			166	U.S. Navy, 2013.
Impact Installation	48-in steel pile	208	174	190	Caltrans, 2020.
Impact Installation	60, 72-in steel pile	205	180	190	Caltrans, 2020.
DTH	48-in steel pile	193	163	173	NMFS Communication.
DTH	60, 72-in steel pile	193	176	173	NMFS Communication.

Note: peak = peak sound level; rms = root mean square; SEL = sound exposure level.
[1] Attenuated source levels with 5dB reduction due to use of a bubble curtain during these activities (Caltrans, 2015; Austin *et al.,* 2016).

TABLE 6—LEVEL A AND LEVEL B HARASSMENT ISOPLETHS

Method	Pile size and type	Level A harassment zone (m)					Level B harassment zone (m)
		LF	HF	VHF	PW	OW	
No Bubble Curtain in use (Unattenuated)							
Vibratory removal	H-pile	17.7	6.8	14.4	22.7	7.6	4,641.6
Vibratory removal	20-in steel pile	9.6	3.7	7.8	12.3	4.1	7,356.4
Vibratory Installation and removal	36-in steel pile (temporary)	19.9	7.6	16.2	25.6	8.6	11,659.1
Vibratory Installation	48-in steel pile	42.8	16.4	35	55.1	18.5	[1] 25,118.9
Impact Installation	48-in steel pile	2,822.4	360.1	4,367.6	2,507.3	934.6	1,359.4
DTH	36-in steel pile (temporary)	3,145.1	401.3	4867	2794	1,041.5	[1] 39,811
DTH	48-in steel pile	6151	784.7	9518	5,463.9	2,036.7	[1] 73,564
Bubble Curtain in use (Attenuated)							
Vibratory Installation	48-in steel pile	17	6.5	13.9	21.9	7.4	11,659.1
Vibratory Installation	60-in steel pile	19.9	7.6	16.2	25.6	8.6	11,659.1
Vibratory Installation	72-in steel pile	24.1	9.2	19.7	31	10.4	11,659.1
Impact Installation	48-in steel pile	1,310	167	2,027.3	1,163.8	433.8	631.0
Impact Installation	60, 72-in steel pile	2,716	346.6	4,203.6	2,413.1	899.5	1,000
DTH	48-in steel pile	2,854.8	3,64.2	4,417.9	2,536.1	954.4	[1] 34,145
DTH	60-in steel pile	14,816.7	1,890.4	22,928.9	13,162.6	4,906.5	[1] 34,145
DTH	72-in steel pile	19,415.4	2,477.2	30,045.4	1,7247.9	6,429.3	[1] 34,145

[1] These harassment zones extend past than the shoreline of Resurrection Bay, so land masses would block sound transmission and distances would be truncated.

TABLE 8—PROPOSED TAKE BY STOCK, HARASSMENT TYPE, AND AS A PERCENTAGE OF STOCK ABUNDANCE

Species	Stock	Proposed authorized take		Proposed take as percentage of stock
		Level A harassment	Level B harassment	
Gray whale	Eastern North Pacific	1	3	<1
Fin whale	Northeast Pacific	3	8	[1] <1
Humpback whale [2]	Hawaii	16	54	<1
	Mexico	3	6	[3] <1
	Western North Pacific	0	1	<1
Killer whale [4]	AT1 Transient	0	[5] 7	NA
	Gulf, Aleutian, Bering Transient	2	37	6.6
	ENP Alaska Resident	6	148	8.0
Dall's porpoise	Alaska	146	374	[6] UND
Harbor porpoise	Gulf of Alaska	57	146	<1
Harbor seal	Prince William Sound	517	1,919	5.4
Steller sea lion	Western United States	111	904	2

[1] Based on 2,554 animals discussed in SARs, although it's noted that this is likely an underestimate.
[2] Based on proportion of each distinct population segment (DPS) being in resurrection bay: 89 percent Hawaii, 10 percent Mexico, and 1 percent Western North Pacific (NMFS, 2021).
[3] Based on 918 animals discussed in SARs, derived from Wade, 2021.

[4] Based on a proportion from acoustic monitoring of stocks in Resurrection Bay: 95.7 percent ENP residents, 2.7 percent Gulf/Aleutian/Bering transients, and 1.6 percent AT1 transients (Yurk *et al.,* 2010).

[5] NMFS considers any exposure of AT1 whales would likely be of a group, here assumed to consist of 7 individuals, due to the small stock size and low likelihood of individual encounters. See the Small Numbers section of the proposed notice for additional discussion (90 FR 34463, July 22, 2025).

[6] NMFS does not have an official abundance estimate for this stock, and the minimum population estimate is considered to be unknown (Young *et al.,* 2023). See Small Numbers of the proposed notice for additional discussion (90 FR 34463, July 22, 2025).

TABLE 9—SHUTDOWN ZONES AND LEVEL B HARASSMENT ZONES

Method	Pile size and type	Level A shutdown zone (m)					Level B monitoring zone (m)
		LF	HF	VHF	PW	OW	
No Bubble Curtain in use							
Vibratory removal	H-pile	20	10	15	25	10	4,645
Vibratory removal	20-in steel pile	10	10	10	15	10	7,360
Vibratory Installation and removal	36-in steel pile (temporary)	20	10	20	30	10	11,660
Vibratory Installation	48-in steel pile	45	20	35	60	20	*24,100
Impact Installation	48-in steel pile	2,000	365	300	300	300	1,360
DTH	36-in steel pile (temporary)	2,000	405	300	300	300	*24,100
DTH	48-in steel pile	2,000	785	300	300	300	*24,100
Bubble Curtain in use							
Vibratory Installation	48-in steel pile	20	10	15	25	10	11,660
Vibratory Installation	60-in steel pile	20	10	20	30	10	11,660
Vibratory Installation	72-in steel pile	25	10	20	35	15	11,660
Impact Installation	48-in steel pile	1,310	175	300	300	300	635
Impact Installation	60, 72-in steel pile	2,000	350	300	300	300	1,000
DTH	48-in steel pile	2,000	365	300	300	300	*24,100
DTH	60-in steel pile	2,000	1,000	300	300	300	*24,100
DTH	72-in steel pile	2,000	2,000	300	300	300	*24,100

*Differs from table 6 Level B harassment zone because the harassment zone extends past the shoreline of Resurrection Bay, so land masses would block sound transmission and distances would be truncated.

National Environmental Policy Act

To comply with the National Environmental Policy Act of 1969 (NEPA; 42 U.S.C. 4321 *et seq.*) and NOAA Administrative Order (NAO) 216–6A, NMFS must review our proposed action (*i.e.,* the issuance of an IHA) with respect to potential impacts on the human environment.

This action is consistent with categories of activities identified in Categorical Exclusion B4 (IHAs with no anticipated serious injury or mortality) of the Companion Manual for NAO 216–6A, which do not individually or cumulatively have the potential for significant impacts on the quality of the human environment and for which we have not identified any extraordinary circumstances that would preclude this categorical exclusion. Accordingly, NMFS has determined that the issuance of the IHA qualifies to be categorically excluded from further NEPA review.

Endangered Species Act

Section 7(a)(2) of the Endangered Species Act of 1973 (ESA; 16 U.S.C. 1531 *et seq.*) requires that each Federal agency ensures that any action it authorizes, funds, or carries out is not likely to jeopardize the continued existence of any endangered or threatened species or result in the destruction or adverse modification of designated critical habitat. To ensure ESA compliance for the issuance of IHAs, NMFS consults internally whenever we propose to authorize take for endangered or threatened species.

NMFS is authorizing take of the following distinct population segments: Western U.S. Steller sea lion, Western North Pacific humpback whale, the Mexico humpback whale, and fin whale, which are listed under the ESA. The Permit and Conservation Division completed a section 7 consultation with the Alaska Regional Office for the issuance of this IHA. The Alaska Regional Office's biological opinion states that the action is not likely to jeopardize the continued existence of the listed species.

Authorization

Accordingly, consistent with the requirements of section 101(a)(5)(D) of the MMPA, NMFS has issued an IHA to TMC for authorization to take marine mammals incidental to the Seward Cruise Ship Passenger Dock and Terminal Facility Project in Seward Alaska.

Dated: September 8, 2025.

Kimberly Damon-Randall,

Director, Office of Protected Resources, National Marine Fisheries Service.

[FR Doc. 2025–17469 Filed 9–10–25; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648–XF164]

Caribbean Fishery Management Council's District Advisory Panels; Public Virtual Meeting

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

ACTION: Notice of public virtual meeting.

SUMMARY: The Caribbean Fishery Management Council's (Council) District Advisory Panels (DAPs) will hold a public virtual meeting to address the items contained in the tentative agenda included in the **SUPPLEMENTARY INFORMATION**.

DATES: The DAPs public virtual meeting will be held on September 26, 2025 from 9:00 a.m. (AST) to 4:00 p.m. (AST).

ADDRESSES: You may join the DAPs public virtual meeting (via Zoom) from a computer, tablet or smartphone by entering the following address:

Join Zoom Meeting: https://us02web.zoom.us/j/86823050928?pwd=y0Td2tebl2OwsBlMDE3uBlAYfJAYNu.1.

Meeting ID: 868 2305 0928.

Passcode: 704207.

In case there are problems, and we cannot reconnect via Zoom, the meeting will continue using GoToMeeting. You can join the meeting from your computer, tablet, or smartphone *https://meet.goto.com/174603157.* You can also dial in using your phone. United States: +1 (408) 650–3123 Access Code: 174–603–157.

FOR FURTHER INFORMATION CONTACT: Miguel Rolón, Executive Director, Caribbean Fishery Management Council, 270 Muñoz Rivera Avenue, Suite 401, San Juan, Puerto Rico 00918–1903, telephone: (787) 398–3717.

SUPPLEMENTARY INFORMATION: The items included in the tentative agenda are:

9 a.m.–9:15 a.m.

—Call to Order
—Roll Call

9:15 a.m.–9:45 a.m.

—E.O. 14276 and Memorandum from Mr. E. Piñeiro—Miguel A. Rolón

9:45 a.m.–10:45 a.m.

—Magnuson-Stevens Fisheries Conservation and Management Act Requirements for Stocks in Need of Conservation and Management, and Discussion of Modifications to the Reef Fish Fishery Management Units (FMUs)—Sarah Stephenson, NOAA Fisheries/SERO

10:45 a.m.–11 a.m.

—Break

11 a.m.–12 p.m.

—Species in the Management Units of the IBFMPs—Graciela García-Moliner

12 p.m.–1 p.m.

—Lunch Break

1 p.m.–2:30 p.m.

—DAPs Discussion
—St. Thomas/St. John—Julian Magras, Chair
—St. Croix—Gerson Martinez, Chair
—Puerto Rico—Nelson Crespo, Chair

2:30 p.m.–2:45 p.m.

—Break

2:45 p.m.–3:45 p.m.

—Discussion of Actions Proposed by CFMC 187th Meeting

3:45 p.m.–4 p.m.

—Other Business
—Adjourn

Other than the starting date and time, the order of business may be adjusted as necessary to accommodate the completion of agenda items, at the discretion of the Chair. The meeting will begin on September 26, 2025 at 9 a.m. AST, and will end on September 26, 2025, at 4 p.m. AST.

Special Accommodations

For simultaneous interpretation follow your Zoom screen instructions. You will be asked which language you prefer when you join the meeting. For any additional information on this public virtual meeting, please contact Diana Martino, Caribbean Fishery Management Council, 270 Muñoz Rivera Avenue, Suite 401, San Juan, Puerto Rico, 00918–1903, telephone: (787) 226–8849.

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

Dated: September 9, 2025.

Rey Israel Marquez,

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

[FR Doc. 2025–17556 Filed 9–10–25; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

Patent and Trademark Office

[Docket No. PTO–P–2025–0019]

Updated Legal Framework for Patent Electronic System

AGENCY: United States Patent and Trademark Office, Department of Commerce.

ACTION: Notice.

SUMMARY: The United States Patent and Trademark Office (USPTO) published on its website an updated legal framework for its Patent Electronic System. The updated legal framework defines the USPTO patent electronic filing system requirements, and provides guidance on the relevant statutes, regulations, and policies that support the USPTO's Patent Electronic System. The Patent Electronic System currently comprises Patent Center. Patent Center includes both the USPTO patent electronic filing system, which is a web-based patent application and document submission system, and the USPTO's web-based means for electronically viewing the status of, and documents filed in or associated with, patent applications and proceedings. The updated legal framework also discusses the two-step authentication method now in place for accessing the Patent Electronic System. The updated legal framework serves as a reference for applicants, patentees, parties in reexamination proceedings, attorneys, and agents.

DATES: *Applicability Date:* September 11, 2025.

FOR FURTHER INFORMATION CONTACT: Inquiries regarding the Patent Electronic System and other USPTO information technology (IT) systems may be directed to the Patent Electronic Business Center (Patent EBC) at 866–217–9197 (toll-free) or 571–272–4100, or at *ebc@uspto.gov.*

Inquiries regarding IT policy for U.S. national patent applications may be directed to Mark Polutta, Senior Legal Advisor, Office of Patent Legal Administration, at 571–272–7709; or Gena Jones, Senior Legal Advisor, Office of Patent Legal Administration, at 571–272–7727.

Inquiries regarding IT policy for international applications (PCT) may be directed to Tamara Graysay, Special Program Examiner, Office of International Patent Legal Administration, at 571–272–6728. Inquiries regarding IT policy for international design applications may be directed to Boris Milef, Senior Legal Examiner, Office of International Patent Legal Administration, at 571–272–3288.

SUPPLEMENTARY INFORMATION: On September 11, 2025, the USPTO published on its website an updated legal framework for its Patent Electronic System. The updated legal framework is available at *www.uspto.gov/PatentLegalFramework.* The updated legal framework defines the USPTO patent electronic filing system requirements in accordance with 37 CFR 1.6(a)(4), and provides guidance for the relevant statutes, regulations, and policies that support the USPTO's Patent Electronic System. The updated legal framework supersedes all prior versions of the legal framework. Section 502.05 of the Manual of Patent Examining Procedure will be revised in due course. The following is a brief summary of the major differences introduced by the updated legal framework:

1. Section B has been revised to require registration to use the Patent Electronic System. Section B has also been revised to clarify that third-party documents are prohibited from being filed in applications via the Patent Electronic System, unless specifically authorized and the special dedicated electronic interface, if provided, is used so that information is not directly placed into the application file.

2. Section C has been revised to clarify that the USPTO may identify an alternative electronic filing procedure, if designated by the Director, for new applications, national stage submissions under 35 U.S.C. 371, and/or other patent filings, during an unplanned outage of Patent Center. If an alternative procedure is not indicated, applicants

then should follow the procedure for filing applications as previously set forth. *See* Filing Patent Applications Electronically During Designated Significant Outages of the United States Patent and Trademark Office Electronic Business Systems, 83 FR 44264 (August 30, 2018).

3. Section D has been revised to clarify that patent applications filed in DOCX format will be validated, and applicants will be provided relevant feedback concerning the format of their applications. Applications filed in DOCX format avoid the non-DOCX surcharge.

4. Section E has been revised to specify that all Patent Electronic System users must be registered users and that users may complete the verification process by mailing the paper verification form, completing the ID.me verification process, or by other methods designated by the Director.

5. Section L has been revised to provide that applications filed on or after July 1, 2022, that disclose a nucleotide and/or amino acid sequence as defined in 37 CFR 1.831, including applications claiming the benefit of, or priority to, an application filed before July 1, 2022, containing a sequence listing, must contain a computer readable sequence listing in XML format (''Sequence Listing XML'') in accordance with 37 CFR 1.831 through 1.835.

6. Section O has been added to provide that effective May 24, 2024, plant applications, including drawings or photographs, fees, and follow-on documents, may be filed via the Patent Electronic System.

Coke Morgan Stewart,

Acting Under Secretary of Commerce for Intellectual Property and Acting Director of the United States Patent and Trademark Office.

[FR Doc. 2025–17543 Filed 9–10–25; 8:45 am]

BILLING CODE 3510–16–P

COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE BLIND OR SEVERELY DISABLED

Procurement List; Proposed Additions and Deletions

AGENCY: Committee for Purchase From People Who Are Blind or Severely Disabled.

ACTION: Proposed deletions from the Procurement List.

SUMMARY: The Committee is proposing to delete products and service(s) from the Procurement List that were furnished by nonprofit agencies employing persons who are blind or have other severe disabilities.

DATES: Comments must be received on or before: October 11, 2025.

ADDRESSES: Committee for Purchase From People Who Are Blind or Severely Disabled, 355 E Street SW, Suite 325, Washington, DC 20024.

FOR FURTHER INFORMATION CONTACT: For further information or to submit comments contact: Michael R. Jurkowski, Telephone: (703) 489–1322, or email *CMTEFedReg@AbilityOne.gov.*

SUPPLEMENTARY INFORMATION: This notice is published pursuant to 41 U.S.C. 8503 (a)(2) and 41 CFR 51–2.3. Its purpose is to provide interested persons an opportunity to submit comments on the proposed actions.

Deletions

The following product(s) and service(s) are proposed for deletion to the Procurement List:

NSN(s)—Product Name(s):
8520–01–522–0831—Refill, Soap, Antibacterial, 2000 mL
Authorized Source of Supply: Travis Association for the Blind, Austin, TX
Contracting Activity: GSA/FSS GREATER SOUTHWEST ACQUISITI
7210–00–682–6503—Mattress, Foam, Polyurethane, Cotton Ticking, Blue Stripes, 75″ L x 38″ W x 4″ H
Authorized Source of Supply: Lions Volunteer Blind Industries, Inc., Morristown, TN
Contracting Activity: GSA/FSS GREATER SOUTHWEST ACQUISITI
8465–01–656–1719—Belt, Individual Equipment, LC–1, Olive Drab, No U.S. Markings, Medium
8465–01–656–1721—Belt, Individual Equipment, LC–1, Olive Drab, No U.S. Markings, Large
Authorized Source of Supply: Mississippi Industries for the Blind, Inc., Jackson, MS
Authorized Source of Supply: Winston-Salem Industries for the Blind, Inc., Winston-Salem, NC
Contracting Activity: DLA TROOP SUPPORT
8415–00–782–2948—Trousers, Cold Weather Water Repellent, Army, Green, XSR
8415–01–099–7853—Trousers, Cold Weather Water Repellent, Army, Printed Black, Brown and Green Camouflage, XSR
8415–01–099–7854—Trousers, Cold Weather Water Repellent, Army, Printed Black, Brown and Green Camouflage, SR
8415–01–099–7855—Trousers, Cold Weather Water Repellent, Army, Printed Black, Brown and Green Camouflage, SR
8415–01–099–7856—Trousers, Cold Weather Water Repellent, Army, Printed Black, Brown and Green Camouflage, SL
8415–01–099–7857—Trousers, Cold Weather Water Repellent, Army, Printed Black, Brown and Green Camouflage, MS
8415–01–099–7858—Trousers, Cold Weather Water Repellent, Army, Printed Black, Brown and Green Camouflage, MR
8415–01–099–7859—Trousers, Cold Weather Water Repellent, Army, Printed Black, Brown and Green Camouflage, ML
8415–01–099–7860—Trousers, Cold Weather Water Repellent, Army, Printed Black, Brown and Green Camouflage, LR
8415–01–099–7861—Trousers, Cold Weather Water Repellent, Army, Printed Black, Brown and Green Camouflage, LL
8415–01–099–7862—Trousers, Cold Weather Water Repellent, Army, Printed Black, Brown and Green Camouflage, XLL
8415–01–100–0977—Trousers, Cold Weather Water Repellent, Army, Printed Black, Brown and Green Camouflage, XLR
Authorized Source of Supply: Goodwill Industries of South Florida, Inc., Miami, FL
Contracting Activity: DLA TROOP SUPPORT
8465–01–012–9174—Clipboard, Pilots
Authorized Source of Supply: Human Technologies Corporation, Utica, NY
Contracting Activity: DLA TROOP SUPPORT
9905–01–661–2144—Flag, Marking, 2½″ x 3½″, 21″ Staff, Fluorescent Pink
9905–01–661–2145—Flag, Marking, 2½″ x 3½″, 21″ Staff, Orange
9905–01–661–2149—Flag, Marking, 2½″ x 3½″, 21″ Staff, Orange
9905–01–661–2153—Flag, Marking, 2½″ x 3½″, 21″ Staff, Yellow
Authorized Source of Supply: West Texas Lighthouse for the Blind, San Angelo, TX
Contracting Activity: GSA/FSS GREATER SOUTHWEST ACQUISITI
7510–01–484–1745—Binder, Round Ring, Polyethylene, Flexible, Blue, 2″ Capacity, Letter Size
7510–01–511–4320—Binder, Round Ring, Pockets, Gray, 3″ Capacity, Letter Size
7510–01–519–4363—Binder, Round Ring, Clear Overlay, Pockets, Green, 1½″ Capacity, Letter Size
Authorized Source of Supply: South Texas Lighthouse for the Blind, Corpus Christi, TX
Contracting Activity: GSA/FAS ADMIN SVCS ACQUISITION BR(2
Contracting Activity: DEPARTMENT OF VETERANS AFFAIRS, STRATEGIC ACQUISITION CENTER

Service(s)

Service Type: Messenger Services
Mandatory for: DHS CBP, Area Port St. Thomas, USVI
Contracting Activity: U.S. CUSTOMS AND BORDER PROTECTION, BORDER ENFORCEMENT CTR DIV

Service Type: Mailroom Operation
Mandatory for: U.S. Customs Indianapolis Center: 6026 Lakeside Boulevard
Contracting Activity: U.S. CUSTOMS AND BORDER PROTECTION, ADMIN FACILITIES TRAINING CTR DIV

Service Type: Base Supply Center
Mandatory for: Forbes Field Air National Guard Base, Topeka, KS
Contracting Activity: DEPT OF THE ARMY, W7M9 USPFO ACTIVITY KSANG 190

Service Type: BSC/IEE/Hazmat

Mandatory for: Forbes Field, KS
Contracting Activity: DOD/DEPARTMENT OF THE AIR FORCE

Service Type: Custodial Services
Mandatory for: USMA, Child Development Center, West Point, NY
Contracting Activity: DEPT OF THE ARMY, W6QM MICC–WEST POINT

Service Type: Administrative Services
Mandatory for: US Customs and Border Protection, Calexico SENTRI Enrollment Center, Area Port of Calexico, Calexico, CA
Contracting Activity: U.S. CUSTOMS AND BORDER PROTECTION, BORDER ENFORCEMENT CTR DIV

Michael R. Jurkowski,

Director, Business Operations.

[FR Doc. 2025–17534 Filed 9–10–25; 8:45 am]

BILLING CODE 6353–01–P

DEPARTMENT OF EDUCATION

[Docket No.: ED–2025–SCC–0052]

Agency Information Collection Activities; Submission to the Office of Management and Budget for Review and Approval; Comment Request; Impact Aid Program—Application for Section 7002 Assistance

AGENCY: Office of Elementary and Secondary Education (OESE), Department of Education (ED).

ACTION: Notice.

SUMMARY: In accordance with the Paperwork Reduction Act (PRA) of 1995, the Department is proposing an extension without change of a currently approved information collection request (ICR).

DATES: Interested persons are invited to submit comments on or before October 14, 2025.

ADDRESSES: Written comments and recommendations for proposed information collection requests should be submitted within 30 days of publication of this notice. Click on this link *www.reginfo.gov/public/do/PRAMain* to access the site. Find this information collection request (ICR) by selecting ''Department of Education'' under ''Currently Under Review,'' then check the ''Only Show ICR for Public Comment'' checkbox. *Reginfo.gov* provides two links to view documents related to this information collection request. Information collection forms and instructions may be found by clicking on the ''View Information Collection (IC) List'' link. Supporting statements and other supporting documentation may be found by clicking on the ''View Supporting Statement and Other Documents'' link.

FOR FURTHER INFORMATION CONTACT: For specific questions related to collection activities, please contact Faatimah Muhammad, (202) 453–7511.

SUPPLEMENTARY INFORMATION: The Department is especially interested in public comment addressing the following issues: (1) is this collection necessary to the proper functions of the Department; (2) will this information be processed and used in a timely manner; (3) is the estimate of burden accurate; (4) how might the Department enhance the quality, utility, and clarity of the information to be collected; and (5) how might the Department minimize the burden of this collection on the respondents, including through the use of information technology. Please note that written comments received in response to this notice will be considered public records.

Title of Collection: Impact Aid Program—Application for Section 7002 Assistance.

OMB Control Number: 1810–0036.

Type of Review: Extension without change of a currently approved ICR.

Respondents/Affected Public: State, Local, and Tribal Governments.

Total Estimated Number of Annual Responses: 215.

Total Estimated Number of Annual Burden Hours: 323.

Abstract: The U.S. Department of Education (ED) requests an extension for the section 7002 Application for Assistance under Title VII of the Elementary and Secondary Education Act (ESEA) as amended. This application is for the Impact Aid Payments for Federal Property for local educational agencies (LEAs) that have lost local tax revenues due to federal activities request financial assistance by completing an annual application.

Ross Santy,

Chief Data Officer, Office of Planning, Evaluation and Policy Development.

[FR Doc. 2025–17477 Filed 9–10–25; 8:45 am]

BILLING CODE 4000–01–P

DEPARTMENT OF EDUCATION

Free Application for Federal Student Aid (FAFSA®) Information To Be Verified for the 2025–2026 Award Year; Correction

AGENCY: Office of Postsecondary Education, Department of Education.

ACTION: Notice; correction.

SUMMARY: The Department of Education published a document in the **Federal Register** of July 22, 2025, concerning the FAFSA information that an institution and an applicant may be required to verify, as well as the acceptable documentation for verifying FAFSA information. The document contained an incomplete sentence in the **SUPPLEMENTARY INFORMATION**.

FOR FURTHER INFORMATION CONTACT: Vanessa Gomez, (202) 453–6708. Email: *Vanessa.Gomez@ed.gov.*

SUPPLEMENTARY INFORMATION:

Correction

In the **Federal Register** of July 22, 2025, in FR Doc. 2025–13740, on page 34487, in the third paragraph, correct the paragraph to read:

In accordance with the Fostering Undergraduate Talent by Unlocking Resources for Education (FUTURE) Act, much of the applicant's tax return information, including information from their spouse and/or parents, will come directly from the IRS and will not be viewable by the student and other contributors. Such information that is transferred and not edited will be verified and need no further verification. However, for instances where income and tax information cannot be obtained directly from the IRS, the applicant will have to manually enter the necessary information into the FAFSA form, and that manual entry may be subject to verification.

Signing Authority: This document of the U.S. Department of Education was signed on September 8, 2025, by Christopher J. McCaghren, ED.D, *Acting Assistant Secretary Office of Postsecondary Education.* That document with the original signature and date is maintained by the U.S. Department of Education. For administrative purposes only, and in compliance with requirements of the Office of the Federal Register, the undersigned has been authorized to sign the document in electronic format for publication, as an official document of the U.S. Department of Education. This administrative process in no way alters the legal effect of this document upon publication in the **Federal Register**.

Tracey St. Pierre,

Director, Office of the Executive Secretariat, Office of the Secretary, U.S. Department of Education.

[FR Doc. 2025–17473 Filed 9–10–25; 8:45 am]

BILLING CODE 4000–01–P

DEPARTMENT OF EDUCATION

[Docket No.: ED–2025–SCC–0053]

Agency Information Collection Activities; Submission to the Office of Management and Budget for Review and Approval; Comment Request; Impact Aid Program—Application for Section 7003 Assistance

AGENCY: Office of Elementary and Secondary Education (OESE), Department of Education (ED).

ACTION: Notice.

SUMMARY: In accordance with the Paperwork Reduction Act (PRA) of 1995, the Department is proposing an extension without change of a currently approved information collection request (ICR).

DATES: Interested persons are invited to submit comments on or before October 14, 2025.

ADDRESSES: Written comments and recommendations for proposed information collection requests should be submitted within 30 days of publication of this notice. Click on this link *www.reginfo.gov/public/do/PRAMain* to access the site. Find this information collection request (ICR) by selecting ''Department of Education'' under ''Currently Under Review,'' then check the ''Only Show ICR for Public Comment'' checkbox. *Reginfo.gov* provides two links to view documents related to this information collection request. Information collection forms and instructions may be found by clicking on the ''View Information Collection (IC) List'' link. Supporting statements and other supporting documentation may be found by clicking on the ''View Supporting Statement and Other Documents'' link.

FOR FURTHER INFORMATION CONTACT: For specific questions related to collection activities, please contact Faatimah Muhammad, (202) 453–7511.

SUPPLEMENTARY INFORMATION: The Department is especially interested in public comment addressing the following issues: (1) is this collection necessary to the proper functions of the Department; (2) will this information be processed and used in a timely manner; (3) is the estimate of burden accurate; (4) how might the Department enhance the quality, utility, and clarity of the information to be collected; and (5) how might the Department minimize the burden of this collection on the respondents, including through the use of information technology. Please note that written comments received in response to this notice will be considered public records.

Title of Collection: Impact Aid Program—Application for Section 7003 Assistance.

OMB Control Number: 1810–0687.

Type of Review: Extension without change of a currently approved ICR.

Respondents/Affected Public: State, Local, and Tribal Governments.

Total Estimated Number of Annual Responses: 300,999.

Total Estimated Number of Annual Burden Hours: 86,078.

Abstract: The U.S. Department of Education is requesting approval for an extension without change for the Application for Assistance under Section 7003 of Title VII of the Elementary and Secondary Education Act (ESEA) as amended by the Every Student Succeeds Act (ESSA). This application is for a grant program otherwise known as Impact Aid Basic Support Payments. Local Educational Agencies (LEAs) whose enrollments and revenues are adversely impacted by Federal activities use this form to request financial assistance. Regulations for the Impact Aid Program are found at 34 CFR 222.

The statute and regulations for this program require a variety of data from applicants annually to determine eligibility for the grants and the amount of grant payment under the statutory formula. The least burdensome method of collecting this required information is for each applicant to submit these data through a web-based electronic application hosted on the Impact Aid Grant System (IAGS) website.

Ross Santy,

Chief Data Officer, Office of Planning, Evaluation and Policy Development.

[FR Doc. 2025–17478 Filed 9–10–25; 8:45 am]

BILLING CODE 4000–01–P

DEPARTMENT OF EDUCATION

[Docket No.: ED–2025–SCC–0647]

Agency Information Collection Activities; Comment Request; Federal Student Aid (FSA) Feedback System

AGENCY: Federal Student Aid (FSA), Department of Education (ED).

ACTION: Notice.

SUMMARY: In accordance with the Paperwork Reduction Act (PRA) of 1995, the Department is proposing a reinstatement with change to a previously approved information collection request (ICR).

DATES: Interested persons are invited to submit comments on or before November 10, 2025.

ADDRESSES: To access and review all the documents related to the information collection listed in this notice, please use *http://www.regulations.gov* by searching the Docket ID number ED–2025–SCC–0647. Comments submitted in response to this notice should be submitted electronically through the Federal eRulemaking Portal at *http://www.regulations.gov* by selecting the Docket ID number or via postal mail, commercial delivery, or hand delivery. If the *regulations.gov* site is not available to the public for any reason, the Department will temporarily accept comments at *ICDocketMgr@ed.gov.* Please include the docket ID number and the title of the information collection request when requesting documents or submitting comments. Please note that comments submitted after the comment period will not be accepted. Written requests for information or comments submitted by postal mail or delivery should be addressed to Carolyn Rose, U.S. Department of Education, Federal Student Aid, 400 Maryland Avenue SW, Washington, DC 20202.

FOR FURTHER INFORMATION CONTACT: For specific questions related to collection activities, please contact Carolyn Rose, (202) 453–5967.

SUPPLEMENTARY INFORMATION: The Department, 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 Department assess the impact of its information collection requirements and minimize the public's reporting burden. It also helps the public understand the Department's information collection requirements and provide the requested data in the desired format. The Department is soliciting comments on the proposed information collection request (ICR) that is described below. The Department is especially interested in public comment addressing the following issues: (1) is this collection necessary to the proper functions of the Department; (2) will this information be processed and used in a timely manner; (3) is the estimate of burden accurate; (4) how might the Department enhance the quality, utility, and clarity of the information to be collected; and (5) how might the Department minimize the burden of this collection on the respondents, including through the use of information technology. Please note that written comments received in response to this notice will be considered public records.

Title of Collection: Federal Student Aid (FSA) Feedback System.

OMB Control Number: 1845–0141.

Type of Review: Reinstatement with change to a previously approved ICR.

Respondents/Affected Public: Individuals or Households.

Total Estimated Number of Annual Responses: 43,200.

Total Estimated Number of Annual Burden Hours: 7,344.

Abstract: This is a request for a reinstatement with change of the FSA Feedback System, OMB Control 1845–0141. On March 10, 2015, the White House issued a Student Aid Bill of Rights. Among the objectives identified was the creation of a centralized complaint and feedback system that is now resident and supported at Federal Student Aid (FSA).

The purpose of the system is to meet the objective of creating a responsive student feedback system for Feedback & Dispute Management, Borrower Defense, Risk/Fraud Management, Awareness & Outreach, and other smaller business deliveries. The solution enables customer contacts tracking and information sharing solutions that exist in a singular, centralized data management structure to resolve customer issues; to inform ongoing business decisions concerning FSA products, services, and where needed, to inform on existing, or in-progress education policies/decisions. Students and borrowers are able to ensure that their complaints and feedback will be directed to the right party. Proposed updates to the collection will allow the Department to quickly respond to issues and strengthen its efforts to protect the integrity of the student financial aid programs.

Brian Fu,

Program and Management Analyst, Office of Planning, Evaluation and Policy Development.

[FR Doc. 2025–17452 Filed 9–10–25; 8:45 am]

BILLING CODE 4000–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings #1

Take notice that the Commission received the following exempt wholesale generator filings:

Docket Numbers: EG25–518–000.

Applicants: Milano Solar, LLC.

Description: Milano Solar, LLC submits Notice of Self-Certification of Exempt Wholesale Generator Status.

Filed Date: 9/5/25.

Accession Number: 20250905–5167.

Comment Date: 5 p.m. ET 9/26/25.

Take notice that the Commission received the following electric rate filings:

Docket Numbers: ER24–2018–002.

Applicants: Louisville Gas and Electric Company, Kentucky Utilities Company.

Description: Compliance filing: Louisville Gas and Electric Company submits tariff filing per 35: FERC Order No. 2023 Third Compliance Filing to be effective 8/1/2024.

Filed Date: 9/8/25.

Accession Number: 20250908–5066.

Comment Date: 5 p.m. ET 9/29/25.

Docket Numbers: ER25–3367–000.

Applicants: Cordelio Services LLC, Firebrick Wind LLC.

Description: Request for Limited Waiver and Request for Shortened Comment Period and Expedited Consideration of Firebrick Wind LLC.

Filed Date: 9/4/25.

Accession Number: 20250904–5111.

Comment Date: 5 p.m. ET 9/25/25.

Docket Numbers: ER25–3378–000.

Applicants: New York State Electric & Gas Corporation, New York Independent System Operator, Inc.

Description: § 205(d) Rate Filing: New York Independent System Operator, Inc. submits tariff filing per 35.13(a)(2)(iii: NYISO–NYSEG Joint 205: Standard IA Moraine Solar Energy Center SA2910 (CEII) to be effective 8/22/2025.

Filed Date: 9/8/25.

Accession Number: 20250908–5022.

Comment Date: 5 p.m. ET 9/29/25.

Docket Numbers: ER25–3379–000.

Applicants: PJM Interconnection, L.L.C.

Description: Tariff Amendment: Notice of Cancellation of ISA No. 7110 & ICSA No. 7111; Queue No. AE2–271 to be effective 11/8/2025.

Filed Date: 9/8/25.

Accession Number: 20250908–5031.

Comment Date: 5 p.m. ET 9/29/25.

Docket Numbers: ER25–3380–000.

Applicants: Louisville Gas and Electric Company.

Description: § 205(d) Rate Filing: IBVEnergy Cost Reimbursement Agreement FERC No. 530 to be effective 11/7/2025.

Filed Date: 9/8/25.

Accession Number: 20250908–5072.

Comment Date: 5 p.m. ET 9/29/25.

Docket Numbers: ER25–3381–000.

Applicants: PPA Grand Johanna LLC.

Description: Tariff Amendment: PPA Grand Johanna LLC Notice of Cancellation of MBR Tariff to be effective 9/9/2025.

Filed Date: 9/8/25.

Accession Number: 20250908–5073.

Comment Date: 5 p.m. ET 9/29/25.

Docket Numbers: ER25–3382–000.

Applicants: Midcontinent Independent System Operator, Inc.

Description: § 205(d) Rate Filing: 2025–09–08_SA 3084 Termination of St. Joseph Phase II–NIPSCO 2nd Rev GIA (J351) to be effective 9/4/2025.

Filed Date: 9/8/25.

Accession Number: 20250908–5074.

Comment Date: 5 p.m. ET 9/29/25.

Docket Numbers: ER25–3383–000.

Applicants: Kentucky Utilities Company.

Description: § 205(d) Rate Filing: KU Concurrance IBVEnergy Cost Reimbursement FERC No. 530 to be effective 11/7/2025.

Filed Date: 9/8/25.

Accession Number: 20250908–5076.

Comment Date: 5 p.m. ET 9/29/25.

Docket Numbers: ER25–3384–000.

Applicants: Louisville Gas and Electric Company.

Description: § 205(d) Rate Filing: KYMEA Cost Reimbursement Agreement FERC Rate No. 531 to be effective 11/7/2025.

Filed Date: 9/8/25.

Accession Number: 20250908–5079.

Comment Date: 5 p.m. ET 9/29/25.

Docket Numbers: ER25–3385–000.

Applicants: Kentucky Utilities Company.

Description: § 205(d) Rate Filing: KU Concurrance KYMEA Cost Reimbursement Agreement FERC Rate No. 531 to be effective 11/7/2025.

Filed Date: 9/8/25.

Accession Number: 20250908–5083.

Comment Date: 5 p.m. ET 9/29/25.

Docket Numbers: ER25–3386–000.

Applicants: Louisville Gas and Electric Company.

Description: § 205(d) Rate Filing: LGEKU Cost Reimbursement Agreement FERC Rate Schedule No. 532 to be effective 11/7/2025.

Filed Date: 9/8/25.

Accession Number: 20250908–5086.

Comment Date: 5 p.m. ET 9/29/25.

Docket Numbers: ER25–3387–000.

Applicants: Kentucky Utilities Company.

Description: § 205(d) Rate Filing: KU Concurrance LGEKU CRA FERC No. 532 to be effective 11/7/2025.

Filed Date: 9/8/25.

Accession Number: 20250908–5092.

Comment Date: 5 p.m. ET 9/29/25.

Docket Numbers: ER25–3388–000.

Applicants: Arizona Public Service Company.

Description: § 205(d) Rate Filing: OATT Revisions—Section 7 & Attachment I to be effective 11/8/2025.

Filed Date: 9/8/25.
Accession Number: 20250908–5128.
Comment Date: 5 p.m. ET 9/29/25.

The filings are accessible in the Commission's eLibrary system (*https://elibrary.ferc.gov/idmws/search/fercgensearch.asp*) by querying the docket number.

Any person desiring to intervene, to protest, or to answer a complaint in any of the above proceedings must file in accordance with Rules 211, 214, or 206 of the Commission's Regulations (18 CFR 385.211, 385.214, or 385.206) on or before 5:00 p.m. Eastern time on the specified comment date. Protests may be considered, but intervention is necessary to become a party to the proceeding.

eFiling is encouraged. More detailed information relating to filing requirements, interventions, protests, service, and qualifying facilities filings can be found at: *http://www.ferc.gov/docs-filing/efiling/filing-req.pdf.* For other information, call (866) 208–3676 (toll free). For TTY, call (202) 502–8659.

The Commission's Office of Public Participation (OPP) supports meaningful public engagement and participation in Commission proceedings. OPP can help members of the public, including landowners, community organizations, Tribal members and others, access publicly available information and navigate Commission processes. For public inquiries and assistance with making filings such as interventions, comments, or requests for rehearing, the public is encouraged to contact OPP at (202) 502–6595 or *OPP@ferc.gov.*

Dated: September 8, 2025.

Carlos D. Clay,

Deputy Secretary.

[FR Doc. 2025–17522 Filed 9–10–25; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 2354–199]

Georgia Power Company; Notice of Application for Non-Capacity Amendment of License Accepted for Filing, Soliciting Comments, Motions To Intervene, and Protests

Take notice that the following hydroelectric application has been filed with the Commission and is available for public inspection:

a. *Application Type:* Non-Capacity Amendment of License.

b. *Project No:* 2354–199.

c. *Date Filed:* October 1, 2024, and supplemented on April 25, 2025.

d. *Applicant:* Georgia Power Company.

e. *Name of Project:* North Georgia Project.

f. *Location:* The Project is located on the Savannah River basin on the Tallulah, Chattooga, and Tugalo Rivers, in Rabun, Habersham, and Stephens counties, Georgia, and Oconee County, South Carolina. The project does not occupy any federal lands.

g. *Filed Pursuant to:* Federal Power Act, 16 U.S.C. 791a–825r.

h. *Applicant Contact:* Courtenay O'Mara, 241 Ralph McGill Boulevard NE, BIN 10193, Atlanta, Georgia 30308–3374, 404–506–7219, *cromara@southernco.com.*

i. *FERC Contact:* Aneela Mousam, (202) 502–8357, *aneela.mousam@ferc.gov.*

j. *Cooperating Agencies:* With this notice, the Commission is inviting federal, state, local, and Tribal agencies with jurisdiction and/or special expertise with respect to environmental issues affected by the proposal, that wish to cooperate in the preparation of any environmental document, if applicable, to follow the instructions for filing such requests described in item k below. Cooperating agencies should note the Commission's policy that agencies that cooperate in the preparation of any environmental document cannot also intervene. *See* 94 FERC ¶ 61,076 (2001).

k. *Deadline for filing comments, motions to intervene, and protests:* October 8, 2025 5:00 p.m. Eastern Time.

The Commission strongly encourages electronic filing. Please file comments, motions to intervene, and protests using the Commission's eFiling system at *http://www.ferc.gov/docs-filing/efiling.asp.* Commenters can submit brief comments up to 6,000 characters, without prior registration, using the eComment system at *http://www.ferc.gov/docs-filing/ecomment.asp.* For assistance, please contact FERC Online Support at *FERCOnlineSupport@ferc.gov,* (866) 208–3676 (toll free), or (202) 502–8659 (TTY). In lieu of electronic filing, you may submit a paper copy. Submissions sent via the U.S. Postal Service must be addressed to: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Room 1A, Washington, DC 20426. Submissions sent via any other carrier must be addressed to: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, MD 20852. The first page of any filing should include the docket number P–2354–199. Comments emailed to Commission staff are not considered part of the Commission record.

The Commission's Rules of Practice and Procedure require all intervenors filing documents with the Commission to serve a copy of that document on each person whose name appears on the official service list for the project. Further, if an intervenor files comments or documents with the Commission relating to the merits of an issue that may affect the responsibilities of a particular resource agency, they must also serve a copy of the document on that resource agency.

l. *Description of Request:* Georgia Power Company (licensee) requests Commission approval to replace the existing bottom-hinged spillway gates with an Obermeyer gate system, and construct a control building to house the equipment and instrumentation needed to operate the new Obermeyer gates at the Burton Development. The replacement of the existing spillway gates is necessary for the continued operation of Burton Dam during high flow events and would enable plant operators to better control reservoir elevations. The licensee would perform all proposed work behind a bulkhead; therefore, no drawdown would be required. The proposed spillway upgrades are anticipated to begin in 2026 and are expected to take 18 to 24 months. The ground disturbance activities associated with the new control building construction would be limited to less than one acre, and would not require a National Pollutant Discharge Elimination System permit. The project would continue to operate under the terms of its current license, and applicable Water Quality Certification.

m. *Locations of the Application:* This filing may be viewed on the Commission's website at *http://www.ferc.gov* using the ''eLibrary'' link. Enter the docket number excluding the last three digits in the docket number field to access the document. You may also register online at *http://www.ferc.gov/docs-filing/esubscription.asp* to be notified via email of new filings and issuances related to this or other pending projects. For assistance, call 1–866–208–3676 or email *FERCOnlineSupport@ferc.gov,* for TTY, call (202) 502–8659. Agencies may obtain copies of the application directly from the applicant.

n. Individuals desiring to be included on the Commission's mailing list should so indicate by writing to the Secretary of the Commission.

o. *Comments, Protests, or Motions to Intervene:* Anyone may submit comments, a protest, or a motion to

intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210, .211, .214, respectively. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a motion to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or motions to intervene must be received on or before the specified comment date for the particular application.

p. *Filing and Service of Documents:* Any filing must (1) bear in all capital letters the title ''COMMENTS'', ''PROTEST'', or ''MOTION TO INTERVENE'' as applicable; (2) set forth in the heading the name of the applicant and the project number of the application to which the filing responds; (3) furnish the name, address, and telephone number of the person commenting, protesting or intervening; and (4) otherwise comply with the requirements of 18 CFR 385.2001 through 385.2005. All comments, motions to intervene, or protests must set forth their evidentiary basis. Any filing made by an intervenor must be accompanied by proof of service on all persons listed in the service list prepared by the Commission in this proceeding, in accordance with 18 CFR 385.2010.

q. The Commission's Office of Public Participation (OPP) supports meaningful public engagement and participation in Commission proceedings. OPP can help members of the public, including landowners, 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: September 8, 2025.

Debbie-Anne A. Reese,

Secretary.

[FR Doc. 2025–17573 Filed 9–10–25; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. CP25–541–000]

National Fuel Gas Supply Corporation; Notice of Request Under Blanket Authorization and Establishing Intervention and Protest Deadline

Take notice that on August 29, 2025, National Fuel Gas Supply Corporation (National Fuel), 6363 Main Street, Williamsville, New York 14221, filed in the above referenced docket, a prior notice request pursuant to sections 157.205, 157.208, 157.210, and 157.211 of the Commission's regulations under the Natural Gas Act (NGA), and National Fuel's blanket certificate issued in Docket No. CP83–4–000, for authorization to construct, own, operate, and maintain approximately 7.26 miles of 24-inch-diameter pipeline and appurtenances, a metering and regulating station/delivery point, a pipeline tie-in, and modifications to certain existing facilities and appurtenances, all located in Beaver and Mercer Counties, Pennsylvania (Shippingport Lateral Project). The project will allow National Fuel to provide 205,000 dekatherms per day (Dth/day) of incremental firm transportation service on its system, transporting these volumes from a receipt point on National Fuel's Line N pipeline to a new interconnection with the Shippingport Power Station (SPS Facility). The estimated cost for the project is $57,300,000, all as more fully set forth in the request which is on file with the Commission and open to public inspection.

In addition to publishing the full text of this document in the **Federal Register**, the Commission provides all interested persons an opportunity to view and/or print the contents of this document via the internet through the Commission's Home Page (*http://www.ferc.gov*). From the Commission's Home Page on the internet, this information is available on eLibrary. The full text of this document is available on eLibrary in PDF and Microsoft Word format for viewing, printing, and/or downloading. To access this document in eLibrary, type the docket number excluding the last three digits of this document in the docket number field.

User assistance is available for eLibrary and the Commission's website during normal business hours from FERC Online Support at (202) 502–6652 (toll free at 1–866–208–3676) or email at *ferconlinesupport@ferc.gov,* or the Public Reference Room at (202) 502–8371, TTY (202) 502–8659. Email the Public Reference Room at *public.referenceroom@ferc.gov.*

Any questions concerning this request should be directed to Margaret Sroka, Senior Counsel, National Fuel Gas Supply Corporation, 6363 Main Street, Williamsville, New York 14221, by phone at (716) 857–7066, or by email at *srokam@natfuel.com*.

Public Participation

There are three ways to become involved in the Commission's review of this project: you can file a protest to the project, you can file a motion to intervene in the proceeding, and you can file comments on the project. There is no fee or cost for filing protests, motions to intervene, or comments. The deadline for filing protests, motions to intervene, and comments is 5:00 p.m. Eastern Time on November 7, 2025. How to file protests, motions to intervene, and comments is explained below.

The Commission's Office of Public Participation (OPP) supports meaningful public engagement and participation in Commission proceedings. OPP can help members of the public, including landowners, community organizations, Tribal members and others, access publicly available information and navigate Commission processes. For public inquiries and assistance with making filings such as interventions, comments, or requests for rehearing, the public is encouraged to contact OPP at (202) 502–6595 or *OPP@ferc.gov.*

Protests

Pursuant to section 157.205 of the Commission's regulations under the NGA,[1] any person [2] or the Commission's staff may file a protest to the request. If no protest is filed within the time allowed or if a protest is filed and then withdrawn within 30 days after the allowed time for filing a protest, the proposed activity shall be deemed to be authorized effective the day after the time allowed for protest. If a protest is filed and not withdrawn within 30 days after the time allowed for filing a protest, the instant request for authorization will be considered by the Commission.

Protests must comply with the requirements specified in section 157.205(e) of the Commission's regulations,[3] and must be submitted by the protest deadline, which is 5:00 p.m.

[1] 18 CFR 157.205.

[2] Persons include individuals, organizations, businesses, municipalities, and other entities. 18 CFR 385.102(d).

[3] 18 CFR 157.205(e).

Eastern Time on November 7, 2025. A protest may also serve as a motion to intervene so long as the protestor states it also seeks to be an intervenor.

Interventions

Any person has the option to file a motion to intervene in this proceeding. Only intervenors have the right to request rehearing of Commission orders issued in this proceeding and to subsequently challenge the Commission's orders in the U.S. Circuit Courts of Appeal.

To intervene, you must submit a motion to intervene to the Commission in accordance with Rule 214 of the Commission's Rules of Practice and Procedure [4] and the regulations under the NGA [5] by the intervention deadline for the project, which is 5:00 p.m. Eastern Time on November 7, 2025. As described further in Rule 214, your motion to intervene must state, to the extent known, your position regarding the proceeding, as well as your interest in the proceeding. For an individual, this could include your status as a landowner, ratepayer, resident of an impacted community, or recreationist. You do not need to have property directly impacted by the project in order to intervene. For more information about motions to intervene, refer to the FERC website at *https://www.ferc.gov/resources/guides/how-to/intervene.asp.*

All timely, unopposed motions to intervene are automatically granted by operation of Rule 214(c)(1). Motions to intervene that are filed after the intervention deadline are untimely and may be denied. Any late-filed motion to intervene must show good cause for being late and must explain why the time limitation should be waived and provide justification by reference to factors set forth in Rule 214(d) of the Commission's Rules and Regulations. A person obtaining party status will be placed on the service list maintained by the Secretary of the Commission and will receive copies (paper or electronic) of all documents filed by the applicant and by all other parties.

Comments

Any person wishing to comment on the project may do so. The Commission considers all comments received about the project in determining the appropriate action to be taken. To ensure that your comments are timely and properly recorded, please submit your comments on or before 5:00 p.m. Eastern Time on November 7, 2025. The filing of a comment alone will not serve to make the filer a party to the proceeding. To become a party, you must intervene in the proceeding.

How To File Protests, Interventions, and Comments

There are two ways to submit protests, motions to intervene, and comments. In both instances, please reference the Project docket number CP25–541–000 in your submission.

(1) You may file your protest, motion to intervene, and comments by using the Commission's eFiling feature, which is located on the Commission's website (*www.ferc.gov)* under the link to Documents and Filings. New eFiling users must first create an account by clicking on ''eRegister.'' You will be asked to select the type of filing you are making; first select ''General'' and then select ''Protest'', ''Intervention'', or ''Comment on a Filing''; or [6]

(2) You can file a paper copy of your submission by mailing it to the address below. Your submission must reference the Project docket number CP25–541–000.

To file via USPS: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426.

To file via any other method: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, Maryland 20852.

The Commission encourages electronic filing of submissions (option 1 above) and has eFiling staff available to assist you at (202) 502–8258 or *FercOnlineSupport@ferc.gov.*

Protests and motions to intervene must be served on the applicant either by mail at: Margaret Sroka, Senior Counsel, National Fuel Gas Supply Corporation, 6363 Main Street, Williamsville, New York 14221, or by email (with a link to the document) at *srokam@natfuel.com.* Any subsequent submissions by an intervenor must be served on the applicant and all other parties to the proceeding. Contact information for parties can be downloaded from the service list at the eService link on FERC Online.

Tracking the Proceeding

Throughout the proceeding, additional information about the project will be available from the Commission's Office of External Affairs, at (866) 208–FERC, or on the FERC website at *www.ferc.gov* using the ''eLibrary'' link as described above. The eLibrary link also provides access to the texts of all formal documents issued by the Commission, such as orders, notices, and rulemakings.

In addition, the Commission offers a free service called eSubscription which allows you to keep track of all formal issuances and submittals in specific dockets. This can reduce the amount of time you spend researching proceedings by automatically providing you with notification of these filings, document summaries, and direct links to the documents. For more information and to register, go to *www.ferc.gov/docs-filing/esubscription.asp.*

Dated: September 8, 2025.

Debbie-Anne A. Reese,

Secretary.

[FR Doc. 2025–17571 Filed 9–10–25; 8:45 am]

BILLING CODE 6717–01–P

[4] 18 CFR 385.214.

[5] 18 CFR 157.10.

[6] Additionally, you may file your comments electronically by using the eComment feature, which is located on the Commission's website at *www.ferc.gov* under the link to Documents and Filings. Using eComment is an easy method for interested persons to submit brief, text-only comments on a project.

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 1894–233]

Dominion Energy South Carolina, Inc.; Notice of Availability of Final Environmental Assessment

In accordance with the National Environmental Policy Act of 1969 and the Federal Energy Regulatory Commission's (Commission or FERC) regulations, 18 CFR part 380, Commission staff reviewed Dominion Energy South Carolina, Inc.'s (licensee) application for a temporary variance request of its seasonal turbine venting period requirements under the license for the Parr Hydroelectric Project No. 1894 and have prepared an Environmental Assessment (EA) for the project.[1] The licensee requests Commission approval to extend the seasonal turbine venting period specified in the project's Turbine Venting Plan (Plan) through October 31, 2025. The Plan requires the licensee to provide turbine venting annually between June 15 and August 31 to increase dissolved oxygen levels downstream of Parr Shoals Dam. Article 401(b) of the project license requires the licensee to obtain Commission approval for extensions exceeding 30 days. The project is located on the Broad River in

[1] The unique identification number for documents relating to this environmental review is EAXX–019–20–000–1755601134.

Newberry and Fairfield counties, South Carolina, and occupies federal lands.

The final EA contains Commission staff's analysis of the potential environmental effects of the proposed temporary variance of seasonal venting requirements, alternatives to the proposed action, and concludes that the proposed variance, with appropriate environmental protective measures, would not constitute a major federal action that would significantly affect the quality of the human environment. The final EA may be viewed on the Commission's website at *http://www.ferc.gov* using the ''elibrary'' link. Enter the docket number (P–1894–233) in the docket number field to access the document. For assistance, contact FERC Online Support at *FERCOnlineSupport@ferc.gov* or toll-free at 1–866–208–3676, or for TTY, (202) 502–8659.

You may also register online at *http://www.ferc.gov/docs-filing/esubscription.asp* to be notified via email of new filings and issuances related to this or other pending projects. For assistance, contact FERC Online Support.

The Commission's Office of Public Participation (OPP) supports meaningful public engagement and participation in Commission proceedings. OPP can help members of the public, including landowners, community organizations, Tribal members, and others, access publicly available information and navigate Commission processes. For public inquiries and assistance with making filings such as interventions, comments, or requests for rehearing, the public is encouraged to contact OPP at (202) 502–6595 or *OPP@ferc.gov*.

For further information, contact Ms. Joy Kurtz at 202–502–6760 or *joy.kurtz@ferc.gov*.

Dated: September 8, 2025.

Debbie-Anne A. Reese,

Secretary.

[FR Doc. 2025–17572 Filed 9–10–25; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 7274–035]

Town of Wells; Notice of Intent To Prepare an Environmental Assessment

On July 31, 2023, the Town of Wells filed a relicense application for the 698-kilowatt Lake Algonquin Hydroelectric Project No. 7274 (Lake Algonquin Project or project). The project is located on the Sacandaga River in the Town of Wells, Hamilton County, New York.

In accordance with the Commission's regulations, on June 25, 2025, Commission staff issued a notice that the Lake Algonquin Project was ready for environmental analysis (REA Notice). Based on the information in the record, including comments filed on the REA Notice, staff does not anticipate that licensing the Lake Algonquin Project would constitute a major federal action significantly affecting the quality of the human environment. Therefore, staff intend to prepare an Environmental Assessment (EA) on the application to relicense the Lake Algonquin Project.[1]

The EA will be issued and circulated for review by all interested parties. All comments filed on the EA will be analyzed by staff and considered in the Commission's final licensing decision.

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*.

The application will be processed according to the following schedule. The EA will be issued for a 30-day comment period. Revisions to the schedule may be made as appropriate.

Milestone	Target date
Commission issues EA	September 8, 2026.

Any questions regarding this notice may be directed to Samantha Pollak at (202) 502–6419 or via email at *samantha.pollak@ferc.gov*.

Dated: September 8, 2025.

Debbie-Anne A. Reese,

Secretary.

[FR Doc. 2025–17578 Filed 9–10–25; 8:45 am]

BILLING CODE 6717–01–P

[1] For tracking purposes under the National Environmental Policy Act, the unique identification number for documents relating to this environmental review is EAXX–019–20–000–1755775659.

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 2547–095]

Village of Swanton, Vermont; Notice of Application Accepted for Filing, Soliciting Motions To Intervene and Protests, Ready for Environmental Analysis, and Soliciting Comments, Recommendations, Terms and Conditions, and Prescriptions

Take notice that the following hydroelectric application has been filed with the Commission and is available for public inspection.

a. *Type of Application:* New License.

b. *Project No.:* 2547–095.

c. *Date Filed:* April 29, 2022.

d. *Applicant:* Village of Swanton, Vermont (Village).

e. *Name of Project:* Highgate Falls Hydroelectric Project.

f. *Location:* On the Missisquoi River in Franklin County, Vermont.

g. *Filed Pursuant to:* Federal Power Act, 16 U.S.C. 791(a)–825(r).

h. *Applicant Contact:* Paul V. Nolan, Energy Consultant, 5515 17th Street North, Arlington, VA 22205; telephone at (703) 534–5509; email at *pvnpvndiver@gmail.com.*

i. *FERC Contact:* Arash Barsari, Project Coordinator, Great Lakes Branch, Division of Hydropower Licensing; telephone at (202) 502–6207; email at *Arash.JalaliBarsari@ferc.gov.*

j. *Deadline for filing motions to intervene, protests, comments, recommendations, terms, conditions, and prescriptions:* November 7, 2025 by 5:00 p.m. Eastern Time. Deadline for filing reply comments: December 22, 2025 by 5:00 p.m. Eastern Time.

The Commission strongly encourages electronic filing. Please file motions to intervene, protests, comments, recommendations, terms, conditions, and prescriptions using the Commission's eFiling system at *https://ferconline.ferc.gov/FERCOnline.aspx.* Commenters can submit brief comments up to 6,000 characters, without prior registration, using the eComment system at *https://ferconline.ferc.gov/QuickComment.aspx.* For assistance, please contact FERC Online Support at *FERCOnlineSupport@ferc.gov,* (866) 208–3676 (toll free), or (202) 502–8659 (TTY). In lieu of electronic filing, you may submit a paper copy. Submissions sent via the U.S. Postal Service must be addressed to: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Room 1A, Washington, DC 20426. Submissions sent via any other carrier

must be addressed to: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, MD 20852. All filings must clearly identify the project name and docket number on the first page: Highgate Falls Hydroelectric Project (P–2547–095).

The Commission's Rules of Practice and Procedure require all intervenors filing documents with the Commission to serve a copy of that document on each person on the official service list for the project. Further, if an intervenor files comments or documents with the Commission relating to the merits of an issue that may affect the responsibilities of a particular resource agency, they must also serve a copy of the document on that resource agency.

k. This application has been accepted for filing and is now ready for environmental analysis.

l. *Project Description:* The project consists of a 496-foot-long, 45-foot-high dam that includes a 42-foot-long intake structure with trashracks with 1.62-inch clear bar spacing and a 226-foot-long ogee spillway with a 15-foot-high inflatable rubber crest gate with a maximum crest elevation of 190.0-foot National Geodetic Vertical Datum of 1929 (NGVD 29).

The dam creates an impoundment that has a surface area of 262 acres at a normal maximum surface elevation of 190.0 feet NGVD 29. From the impoundment, water flows through the intake structure to a conduit that connects to a penstock. The penstock conveys water to a primary powerhouse that contains two 1.0-megawatt (MW), one 2.8–MW, and one 6.0–MW vertical Francis turbine-generator units, for a total installed capacity of 10.8 MW. Water is discharged from the primary powerhouse directly to the Missisquoi River. The project creates an approximately 1,100-foot-long bypassed reach of the Missisquoi River.

From the impoundment, water also flows through the intake structure to a penstock that conveys water to a secondary powerhouse that contains a 0.572–MW crossflow turbine-generator unit. Water is discharged from the secondary powerhouse to a receiving pool that discharges to the Missisquoi River immediately downstream of the dam.

The project generators are connected to the regional electric grid by generator lead lines and a 12.47/48-kV step-up transformer. There are no project recreation facilities.

Based on the Commission staff's review of the Exhibit G maps and georeferenced shapefiles, the Village proposes to modify the project boundary as follows: (1) revise the project boundary around the impoundment to follow a contour elevation of 190.0 feet NGVD 29, which would result in the removal of approximately 111 acres from the current project boundary; (2) remove approximately 2.2 acres of land adjacent to the south bank of the bypassed reach; and (3) remove approximately 1.8 acres of land adjacent to the north bank of the bypassed reach.

The Village proposes to: (1) operate the project in run-of-river mode with a 3-inch impoundment fluctuation between March 31 and June 15, and during periods when inflow is 400 cfs or less, instead of between March 31 and June 1 under current operation; (2) operate the project in a peaking mode from June 16 through March 30, with a maximum impoundment drawdown of 24 inches, instead of 30 inches under current operation; (3) refill the impoundment within 8 hours of each drawdown for peaking operation; (4) continue to provide a minimum flow of 200 cfs or inflow, whichever is less, downstream of the primary powerhouse, including the following minimum flows to the bypassed reach: 150 cfs from April 1 through May 31, 70 cfs from June 1 through June 30, and 35 cfs from July 1 through March 31; (5) develop a freshwater mussel plan for (a) relocating mussels during impoundment drawdowns and (b) conducting mussel surveys for state-list species in the project area every 5 years; (6) develop a plan for protecting horn-leaved riverweed downstream of the Swanton Dam ledges, which are located approximately 7 miles downstream of the powerhouse; (7) provide aesthetic flows of 1 to 3 inches of spill over the dam during certain holidays; (8) improve an existing parking area to accommodate 5 to 7 cars for recreation users; (9) develop a plan to improve access for hand-carry water craft to the impoundment and downstream of the project; (10) develop a historic properties management plan to protect historic properties; (11) conduct a post-licensing evaluation of the feasibility of using the existing downstream Swanton Dam canal works for upstream fish passage; (12) develop a recreational maintenance and enhancement plan; (13) install a warning system to alert recreation users to increases in flow in the bypassed reach and downstream of the powerhouse; and (14) install an electric vehicle charging station for 5 vehicles.

m. A copy of the application can be viewed on the Commission's website at *http://www.ferc.gov* using the ''eLibrary'' link. Enter the docket number excluding the last three digits in the docket number field to access the document (P–2547). For assistance, contact FERC Online Support.

You may also register online at *https://ferconline.ferc.gov/FERCOnline.aspx* to be notified via email of new filings and issuances related to this or other pending projects. For assistance, please contact FERC Online Support.

n. Anyone may submit comments, a protest, or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210, .211, and .214. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a motion to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or motions to intervene must be received on or before the specified comment date for the particular application.

All filings must (1) bear in all capital letters the title ''PROTEST,'' ''MOTION TO INTERVENE,'' ''COMMENTS,'' ''REPLY COMMENTS,'' ''RECOMMENDATIONS,'' ''TERMS AND CONDITIONS,'' or ''PRESCRIPTIONS;'' (2) set forth in the heading the name of the applicant and the project number of the application to which the filing responds; (3) furnish the name, address, and telephone number of the person protesting or intervening; and (4) otherwise comply with the requirements of 18 CFR 385.2001 through 385.2005. All comments, recommendations, terms and conditions or prescriptions must set forth their evidentiary basis and otherwise comply with the requirements of 18 CFR 4.34(b). Agencies may obtain copies of the application directly from the applicant. A copy of any protest or motion to intervene must be served upon each representative of the applicant specified in the particular application. A copy of all other filings in reference to this application must be accompanied by proof of service on all persons listed on the service list prepared by the Commission in this proceeding, in accordance with 18 CFR 4.34(b) and 385.2010.

The Commission's Office of Public Participation (OPP) supports meaningful public engagement and participation in Commission proceedings. OPP can help members of the public, including landowners, community organizations, Tribal members, and others access publicly available information and navigate Commission processes. For public inquiries and assistance with making filings such as interventions, comments, or requests for rehearing, the

public is encouraged to contact OPP at (202) 502–6595 or *OPP@ferc.gov.*

o. *The applicant must file on or before 5:00 p.m. Eastern Time on November 7, 2025:* (1) a copy of the water quality certification; (2) a copy of the request for certification, including proof of the date on which the certifying agency received the request; or (3) evidence of waiver of water quality certification.

p. *Procedural Schedule:* The application will be processed according to the following schedule. Revisions to the schedule will be made as appropriate.

Milestone	Target date
Filing of Motions to Intervene, Protests, Comments, Recommendations, Terms, Conditions, and Prescriptions	November 2025.
Filing of Reply Comments	December 2025.

q. Final amendments to the application must be filed with the Commission on or before 5:00 p.m. Eastern Time on October 8, 2025.

Dated: September 8, 2025.

Debbie-Anne A. Reese,

Secretary.

[FR Doc. 2025–17575 Filed 9–10–25; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 2514–217]

Appalachian Power Company; Notice of Application Accepted for Filing and Soliciting Comments, Motions To Intervene, and Protests

Take notice that the following hydroelectric application has been filed with the Commission and is available for public inspection.

a. *Type of Application:* Temporary amendment of license to perform Buck Reservoir drawdown.

b. *Project No.:* 2514–217.

c. *Date Filed:* August 14, 2025.

d. *Applicant:* Appalachian Power Company.

e. *Name of Project:* Byllesby and Buck Hydroelectric Project.

f. *Location:* The project is located on the New River in Carroll County, VA.

g. *Filed Pursuant to:* Federal Power Act, 16 U.S.C. 791(a)–825(r).

h. *Applicant Contact:* Mr. Edward S. Brennan, Plant Environmental Coordinator Principal, Appalachian Power Company, P.O. Box 2021, Roanoke, VA 24022 (540) 985–2984.

i. *FERC Contact:* Mr. Steven Sachs, (202) 502–8666, *Steven.Sachs@ferc.gov*.

j. *Deadline for filing comments, motions to intervene, and protests:* October 8, 2025 at 5:00 p.m. Eastern Time.

The Commission strongly encourages electronic filing. Please file comments, motions to intervene, and protests using the Commission's eFiling system at *http://www.ferc.gov/docs-filing/efiling.asp*. Commenters can submit brief comments up to 6,000 characters, without prior registration, using the eComment system at *http://www.ferc.gov/docs-filing/ecomment.asp*. For assistance, please contact FERC Online Support at *FERCOnlineSupport@ferc.gov,* (866) 208–3676 (toll free), or (202) 502–8659 (TTY). In lieu of electronic filing, you may submit a paper copy. Submissions sent via the U.S. Postal Service must be addressed to: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Room 1A, Washington, DC 20426. Submissions sent via any other carrier must be addressed to: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, Maryland 20852. The first page of any filing should include the docket number P–2514–217. Comments emailed to Commission staff are not part of the Commission record.

The Commission's Rules of Practice and Procedure require all intervenors filing documents with the Commission to serve a copy of that document on each person whose name appears on the official service list for the project. Further, if an intervenor files comments or documents with the Commission relating to the merits of an issue that may affect the responsibilities of a particular resource agency, they must also serve a copy of the document on that resource agency.

k. *Description of Request:* The applicant requests a temporary amendment of license to draw down the Buck reservoir to 1,995 feet National Geodetic Vertical Datum, or approximately 7 feet below the normal minimum elevation. The drawdown would proceed at a rate of 4 feet per day, and the reservoir is expected to be below the normal operating range for a period of approximately 8 weeks. The application also intends to salvage and relocate mussels following the initial drawdown and to close the Buck canoe portage for the duration of the temporary amendment. The applicant is conducting the drawdown to install an anchor for a new log boom.

l. *Locations of the Application:* This filing may be viewed on the Commission's website at *http://www.ferc.gov* using the ''eLibrary'' link. Enter the docket number excluding the last three digits in the docket number field to access the document. You may also register online at *http://www.ferc.gov/docs-filing/esubscription.asp* to be notified via email of new filings and issuances related to this or other pending projects. For assistance, call 1–866–208–3676 or email *FERCOnlineSupport@ferc.gov,* for TTY, call (202) 502–8659.

m. Individuals desiring to be included on the Commission's mailing list should so indicate by writing to the Secretary of the Commission.

n. *Comments, Protests, or Motions to Intervene:* Anyone may submit comments, a protest, or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210, .211, .214, respectively. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a motion to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or motions to intervene must be received on or before the specified comment date for the particular application.

o. *Filing and Service of Documents:* Any filing must: (1) bear in all capital letters the title ''COMMENTS'', ''PROTEST'', or ''MOTION TO INTERVENE'' as applicable; (2) set forth in the heading the name of the applicant and the project number of the application to which the filing responds; (3) furnish the name, address, and telephone number of the person commenting, protesting or intervening; and (4) otherwise comply with the requirements of 18 CFR 385.2001 through 385.2005. All comments, motions to intervene, or protests must set forth their evidentiary basis. Any filing made by an intervenor must be accompanied by proof of service on all persons listed in the service list prepared by the Commission in this proceeding, in accordance with 18 CFR 385.2010.

p. The Commission's Office of Public Participation (OPP) supports meaningful

public engagement and participation in Commission proceedings. OPP can help members of the public, including landowners, 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: September 8, 2025.

Debbie-Anne A. Reese,

Secretary.

[FR Doc. 2025–17574 Filed 9–10–25; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 4900–090]

Forestport Hydro, LLC; Notice of Application Accepted for Filing and Soliciting Motions To Intervene and Protests

Take notice that the following hydroelectric application has been filed with the Commission and is available for public inspection.

a. *Type of Application:* New License.

b. *Project No.:* 4900–090.

c. *Date Filed:* February 27, 2025.

d. *Applicant:* Forestport Hydro, LLC.

e. *Name of Project:* Forestport Hydroelectric Project.

f. *Location:* On the Black River in Oneida County, New York.

g. *Filed Pursuant to:* Federal Power Act, 16 U.S.C. 791(a)–825(r).

h. *Applicant Contact:* Antonio Zarella, Chief Operating Officer, Forestport Hydro, LLC, 230 Park Avenue, Suite 447, New York, NY 10169; telephone at (315) 247–0253; email at *TZ@relevatepower.com*.

i. *FERC Contact:* Erin Mocko, Project Coordinator, Great Lakes Branch, Division of Hydropower Licensing; telephone at (202) 502–8107; email at *Erin.mocko@ferc.gov.*

j. *Deadline for filing motions to intervene and protests:* November 7, 2025 by 5:00 p.m. EST.

The Commission strongly encourages electronic filing. Please file motions to intervene and protests using the Commission's eFiling system at *https://ferconline.ferc.gov/FERCOnline.aspx.* For assistance, please contact FERC Online Support at *FERCOnlineSupport@ferc.gov,* (866) 208–3676 (toll free), or (202) 502–8659 (TTY). In lieu of electronic filing, you may submit a paper copy. Submissions sent via the U.S. Postal Service must be addressed to: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Room 1A, Washington, DC 20426. Submissions sent via any other carrier must be addressed to: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, MD 20852. All filings must clearly identify the project name and docket number on the first page: Forestport Hydroelectric Project (P–4900–090).

The Commission's Rules of Practice and Procedure require all intervenors filing documents with the Commission to serve a copy of that document on each person on the official service list for the project. Further, if an intervenor files comments or documents with the Commission relating to the merits of an issue that may affect the responsibilities of a particular resource agency, they must also serve a copy of the document on that resource agency.

k. This application has been accepted for filing, but is not ready for environmental analysis at this time.

l. *Project Description:* The existing project consists of a 27-foot-high dam known as the Forestport Dam, that includes a 315-foot-long ogee spillway. The Forestport Dam creates an impoundment that has a surface area of 118 acres at a normal surface elevation of 1,126.55 feet National Geodetic Vertical Datum 1929 (NGVD29).

From the impoundment, water flows through gates and a canal to a forebay known as Alder Pond. Alder Pond has a surface area of 24 acres at a normal surface elevation of 1,124.6 feet NGVD29 and is formed by a 550-foot-long, 15-foot-high earth embankment known as Alder Pond Dam.

From Alder Pond, water flows through a power canal to an intake structure with trashracks with 1.75-inch clear bar spacing. From the intake structure, water flows through a penstock to a powerhouse that includes a 3.3-megawatt (MW) S-type Kaplan turbine-generator. From the powerhouse, water is released into a tailrace that discharges into the Black River.

The project generators are connected to the regional electric grid by generator lead lines and a 4.16/46-kV transformer.

Project recreation facilities include: (1) Alder Pond parking and access area, adjacent to the east side of the Alder Pond Dam; (2) Forestport impoundment parking and access area, adjacent to the Forestport Dam on the northwest shore of the Forestport impoundment; (3) an approximately 1,200 foot-long portage route from the Forestport access area to the Alder Pond access area; (4) an approximately 150-foot-long power canal portage route; and (5) a powerhouse parking and access area.

Forestport Hydro proposes to: (1) continue operating the project in a run-of-river mode and maintaining the surface elevation of the Forestport impoundment at 1,126.55 feet NGVD29; (2) continue to maintain the surface elevation of Alder Pond between 1,123.6 and 1,124.6 feet NGVD29; (3) continue to release a minimum flow of 140 cfs or inflow, whichever is less, over the Forestport Dam; (4) implement a Bat and Bald Eagle Management Plan and an Invasive Species Management Plan; (5) develop an operation compliance monitoring plan; (6) continue to maintain existing project recreation facilities and update directional and safety signage; (7) move the power canal portage take-out site upstream of the boat barrier; and (8) to protect cultural resources, consult with the New York State Historic Preservation Officer before beginning any land-clearing or land-disturbing activities.

m. A copy of the application can be viewed on the Commission's website at *http://www.ferc.gov* using the ''eLibrary'' link. Enter the docket number excluding the last three digits in the docket number field to access the document (P–4900). For assistance, contact FERC Online Support.

You may also register online at *https://ferconline.ferc.gov/FERCOnline.aspx* to be notified via email of new filings and issuances related to this or other pending projects. For assistance, contact FERC Online Support.

n. The Commission's Office of Public Participation (OPP) supports meaningful public engagement and participation in Commission proceedings. OPP can help members of the public, including landowners, community organizations, Tribal members and others, access publicly available information and navigate Commission processes. For public inquiries and assistance with making filings such as interventions, comments, or requests for rehearing, the public is encouraged to contact OPP at (202) 502–6595 or *OPP@ferc.gov*.

o. Anyone may submit a protest or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210, 385.211, and 385.214. In determining the appropriate action to take, the Commission will consider all protests filed, but only those who file a motion to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any protests or

motions to intervene must be received on or before the specified deadline date for the particular application.

All filings must (1) bear in all capital letters the title ''PROTEST'' or ''MOTION TO INTERVENE;'' (2) set forth in the heading the name of the applicant and the project number of the application to which the filing responds; (3) furnish the name, address, and telephone number of the person protesting or intervening; and (4) otherwise comply with the requirements of 18 CFR 385.2001 through 385.2005. Agencies may obtain copies of the application directly from the applicant. A copy of any protest or motion to intervene must be served upon each representative of the applicant specified in the particular application.

p. *Procedural Schedule:* The application will be processed according to the following preliminary schedule. Revisions to the schedule will be made as appropriate.

Milestone	Target date
Issue Notice of Scoping	September 2025.
Filing of Scoping Comments	October 2025.
Filing of Motions to Intervene and Protests	November 2025.
Issue Notice of Ready for Environmental Analysis	November 2025.
Filing of Comments, Recommendations, Terms, Conditions, and Prescriptions	January 2026.
Filing of Reply Comments	February 2026.

Dated: September 8, 2025.

Debbie-Anne A. Reese,

Secretary.

[FR Doc. 2025–17577 Filed 9–10–25; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 4644–017]

GR Catalyst Two, LLC; Notice of Revised Procedural Schedule

This notice revises the Federal Energy Regulatory Commission's (Commission) schedule for processing the relicense application for the Dahowa Hydroelectric Project No. 4644, which was filed by GR Catalyst Two, LLC (GR Catalyst) December 2, 2024.[1] On December 13, 2024, Commission staff issued a notice of application tendered for filing, which included an initial processing schedule.

By this notice, Commission staff is updating the procedural schedule. The revised schedule is shown below. Further revisions to the schedule may be made as appropriate.

Milestone	Target date
Issue Deficiency Letter and Request Additional Information	September 2025.
Issue Acceptance Letter	November 2025.
Issue Scoping Notice	January 2026.
Issue Notice of Ready for Environmental Analysis	March 2026.

Any questions regarding this notice may be directed to Claire Rozdilski at (202) 502–8259 or *claire.rozdilski@ferc.gov*.

Dated: September 8, 2025.

Debbie-Anne A. Reese,

Secretary.

[FR Doc. 2025–17576 Filed 9–10–25; 8:45 am]

BILLING CODE 6717–01–P

ENVIRONMENTAL PROTECTION AGENCY

[EPA–HQ–OPPT–2025–0067; FRL–12475–07–OCSPP]

Certain New Chemicals; Receipt and Status Information for July 2025

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of receipt and request for comment.

SUMMARY: This document announces the Agency's receipt of new chemical submissions under the Toxic Substances Control Act (TSCA), including information about the receipt of a Premanufacture Notice (PMN), Significant New Use Notice (SNUN), Microbial Commercial Activity Notice (MCAN), and an amendment to a previously submitted notice; test information; a biotechnology exemption application; an application for a test marketing exemption (TME); and a notice of commencement of manufacture (defined by statute to include import) (NOC) for a new chemical substance. This document also provides a periodic status report on the new chemical substances that are currently under EPA review or have recently concluded review. EPA is hereby providing notice of receipt of this information, as required by TSCA, and an opportunity to comment. This document covers the period from 7/1/2025 to 7/31/2025.

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

ADDRESSES: Submit your comments, identified by docket identification (ID) number EPA–HQ–OPPT–2025–0067 and the specific case number provided in this document for the chemical substance related to your comment, online at *https://www.regulations.gov.* Follow the online instructions for submitting comments. Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Additional instructions on commenting and visiting the docket, along with more information about dockets generally, is

[1] The Commission's Rules of Practice and Procedure provide that if a deadline falls on a Saturday, Sunday, holiday, or other day when the Commission is closed for business, the deadline does not end until the close of business on the next business day. 18 CFR 385.2007(a)(2). Because the deadline for filing a license application fell on a Saturday (*i.e.,* November 30, 2024), the deadline was extended until the close of business on Monday, December 2, 2024.

available at *https://www.epa.gov/dockets.*

FOR FURTHER INFORMATION CONTACT:

For technical information: Jim Rahai, Project Management and Operations Division (7407M), Office of Pollution Prevention and Toxics, Environmental Protection Agency, 1200 Pennsylvania Ave. NW, Washington, DC 20460–0001; telephone number: (202) 564–8593; email address: *rahai.jim@epa.gov.*

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

SUPPLEMENTARY INFORMATION:

I. Executive Summary

A. Does this action apply to me?

This action provides information that is directed to the public in general.

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

EPA is publishing this document in the **Federal Register** as required by sections 5 of the Toxic Substances Control Act (TSCA), 15 U.S.C. 2601 *et seq.,* and corresponding EPA regulations.

Under TSCA, a chemical substance may be either an ''existing'' chemical substance or a ''new'' chemical substance, see *https://www.epa.gov/chemicals-under-tsca.* Any chemical substance that is not on EPA's TSCA Inventory of Chemical Substances (TSCA Inventory) is classified as a ''new chemical substance,'' while a chemical substance that is listed on the TSCA Inventory is classified as an ''existing chemical substance.'' See TSCA section 3(2) and (11). For more information about the TSCA Inventory, see *https://www.epa.gov/tsca-inventory.*

Any person who intends to manufacture (including import) a new chemical substance for a non-exempt commercial purpose, or to manufacture or process a chemical substance in a non-exempt manner for a use that EPA has determined is a significant new use, is required by TSCA section 5 to provide EPA with a PMN, MCAN, or SNUN, as appropriate, before initiating the activity. EPA will review the notice, make a risk determination on the new chemical substance or significant new use, and take appropriate action as described in TSCA section 5(a)(3).

TSCA section 5(h)(1) authorizes EPA to allow persons, upon application and under appropriate restrictions, to manufacture a new chemical substance, or manufacture or process a chemical substance subject to a significant new use rule (SNUR) issued under TSCA section 5(a)(2), for ''test marketing'' purposes, upon a showing that the manufacture, processing, distribution in commerce, use, and disposal of the chemical substances will not present an unreasonable risk of injury to health or the environment. This is referred to as a test marketing exemption, or TME.

Premanufacture notification procedures for review of certain new microbial products of biotechnology are established in 40 CFR part 725. These pertain to MCANs and biotechnology exemptions, including TSCA experimental release applications (TERAs), TMEs for microorganisms, and Tier I and Tier II exemptions.

C. What action is the Agency taking?

This document provides notice of receipt and status reports for the covered period and certain submissions under TSCA section 5 and provides an opportunity to comment on this information. The Agency is providing information about the receipt of PMNs, SNUNs, MCANs, and amendments to a previously submitted notice; test information; biotechnology exemption applications under 40 CFR part 725; TME applications; NOCs for new chemical substances; and a periodic status report on chemical substances that are currently under EPA review or have recently concluded review.

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

1. *Submitting CBI.* Do not submit CBI to EPA through *https://www.regulations.gov* or email. If you wish to include CBI in your comment, please follow the instructions at *https://www.epa.gov/dockets/commenting-epa-dockets#rules* and clearly mark the information that you claim to be CBI. In addition to one complete version of the comment that includes CBI, a copy of the comment without CBI must be submitted for inclusion in the public docket. Information marked as CBI will not be disclosed except in accordance with procedures set forth in 40 CFR parts 2 and 703.

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

II. Background

A. What information is being provided in this document?

The tables in this document provide the following information on the TSCA section 5 submissions received by EPA during this period and determined to be complete consistent with 40 CFR 720.70(a).

- *Case number.* The EPA number assigned to the TSCA section 5 submissions. Please note that a case number may be listed more than once in the table when the submission involves a subsequent amendment.
- *Chemical substance.* Name of the chemical substance, or generic name if the specific name is claimed as CBI.
- *Manufacturer.* Name of the submitting manufacturer, to the extent that such information is not subject to a CBI claim. The term ''manufacturer'' is defined by statute to include importer.
- *Use(s).* Potential uses identified by the manufacturer.
- *Received.* Date the submission was received by EPA.
- *Commencement.* Date of commencement provided by the submitter in the NOC.
- *Test information.* For test information received, the type of test information submitted to EPA based on the attachment type and subtype data selected by the submitter.

B. What do the acronyms mean that are used in the tables?

As used in each of the tables, the following explanations apply:

- (S) indicates that the information in the table is the specific information provided by the submitter.
- (G) indicates that the information in the table is generic information because the specific information provided by the submitter was claimed as CBI.

C. How can I access other information about TSCA section 5 submissions?

EPA provides information on its website about cases reviewed under TSCA section 5, including the PMNs, SNUNs, MCANs, and exemption applications received; the date of receipt; the final EPA determination on the submission; and the effective date of EPA's determination. See *https://www.epa.gov/reviewing-new-chemicals-under-toxic-substances-control-act-tsca/status-pre-manufacture-notices.* In addition, information EPA receives about chemical substances under TSCA, including non-CBI new chemical submissions, can be accessed in ChemView at *https://chemview.epa.gov/chemview.*

III. Receipt Reports

Table 1 provides non-CBI information for the PMNs, SNUNs and MCANs received by EPA that have passed an initial screening and determined to be complete consistent with 40 CFR 720.70(a) during this period.

TABLE 1—PMN/SNUN/MCANs RECEIVED AND UNDER REVIEW

Case No.	Received date	Manufacturer	Use	Chemical substance
P–22–0071	07/02/2025	CBI	(G) Industrial Surfactant	(S) D-Glucopyranose, oligomeric, maleates, C9-11-alkyl glycosides, sulfonated, potassium salts.
P–22–0072	07/02/2025	CBI	(G) Industrial Surfactant	(S) D-Glucopyranose, oligomeric, maleates, decyl octyl glycosides, sulfonated, potassium salts.
P–22–0073	07/02/2025	CBI	(G) Industrial Surfactant	(S) D-Glucopyranose, oligomeric, maleates, C10-16-alkyl glycosides, sulfonated, potassium salts.
P–24–0006	07/07/2025	CBI	(S) Oilfield Production Scale Inhibitor	(G) Propenoic acid, methyl-[phosphinicobis(oxy-ethanediyl)] ester, telomer with methyl-methyl-propenoate, (phosphonooxy) ethyl methyl-propenoate, propenoic acid, sodium methyl-[(oxo-propen-yl)amino]-propanesulfonate and sodium sulfite, sodium salt, peroxydisulfuric acid sodium salt-initiated.
P–24–0179	07/15/2025	CBI	(G) Component in batteries	(G) Aluminum- and metal-doped cobalt metal nickel oxide.
P–24–0180	07/15/2025	CBI	(G) Component in batteries	(G) Aluminum- and metal- and metal-doped cobalt metal nickel oxide.
P–24–0181	07/15/2025	CBI	(G) Component in batteries	(G) Metal- and metal-doped cobalt metal metal nickel oxide.
P–25–0025	07/10/2025	CBI	(G) Photolithography	(G) Carbomonocyclic alcohol, 4,4-[[6-(heteroatom-substituted carbomonocycle)-heteromonocycle-2,4-diyl]heteroatom-substituted] bis-.
P–25–0118	07/01/2025	CBI	(G) Liquid formulation and solid formulation of biocatalyst used in a variety of products.	(G) Neutral Protease.
P–25–0119	07/03/2025	Valerian Materials, Inc.	(S) Intermediate used for monomer manufacturing, R&D chemical, Precursor monomer for polymers manufacturing. Industrial applications: Textiles, Coatings and Paints, Sealants, Footwear.	(S) -Methyl—valerolactone.
P–25–0120	07/03/2025	CBI	(G) Ink, pellet and paint component	(G) Butanamide, [(dialkoxy[biscarbomonocyclic]-diyl) bis(substituted)] bis [(halo-dialkoxy carbomonocycle)-substituted.
P–25–0121	07/08/2025	CBI	(G) Ink component, Ingredient in ink	(G) Butanamide, [(dihalo[biscarbomonocyclic]-diyl) bis(substituted)] bis [substituted, bis [substituted carbomonocycle and carbomonocyclic] derivs.
P–25–0122	07/09/2025	CBI	(G) Ink, pellet and paint component	(G) Butanamide, [(dihalo[biscarbomonocyclic]-diyl) bis(substituted)] bis [substituted, bis [substituted carbomonocycle and halo-dialkoxy carbomonocyclic] derivs.
P–25–0123	07/18/2025	CBI	(G) Ink component, Ingredient in ink	(G) Butanamide, 2,2′-[(dihalo[1,1′-biphenyl]-4,4′-diyl) bis(2,1-diazenediyl)] bis [3-oxo, N,N′-bis (substituted heteropolycyclic and alkyl carbomonocyclic) derivs.
P–25–0124	07/18/2025	CBI	(G) Additive for use in electronics industry.	(G) Alkyl aromatic sulfonium, polycyclic alkyl sulfamate.
P–25–0125	07/18/2025	CBI	(G) Substance for the use in manufacturing of battery components.	(G) Cobalt lithium manganese nickel oxide, metals.
P–25–0126	07/18/2025	CBI	(G) An ingredient used in the manufacture of photoresist.	(G) Carbomonocyclic substituted heteromonocyclic, salt with carbopolycyclic sulfocarboxylate.
P–25–0127	07/18/2025	CBI	(G) An ingredient used in the manufacture of photoresist.	(G) Carbomonocyclic sulfonium, salt with carbopolycyclic sulfocarboxylate.

TABLE 1—PMN/SNUN/MCANs RECEIVED AND UNDER REVIEW—Continued

Case No.	Received date	Manufacturer	Use	Chemical substance
P–25–0128	07/21/2025	CBI	(G) Photolithography	(G) 2-Propenoic acid, 2-methyl-, halo alkyl ester, polymer with ethenylcarbomonocyclic alcohol, dimethyl 2,2-(1,2-diazenediyl) bis [2-alkyl ester]-initiated.
SN–25–0006	07/24/2025	CBI	(S) Substance for use in the manufacture of battery cathodes.	(S) Phosphoric acid, iron (2+) lithium salt (1:1:1).
SN–25–0007	07/01/2025	Essential Industries, Inc.	(G) Additive used in commercial and consumer applications.	(S) Propanoic acid, 3-hydroxy-2-(hydroxymethyl)-2-methyl-, polymer with dimethyl carbonate, 1,2-ethanediamine, 2-ethyl-2-(hydroxymethyl)-1,3-propanediol, 1,6-hexanediol and 1,1′-methylenebis[4-isocyanatocyclohexane], compd. with N,N-diethylethanamine.

Table 2 provides non-CBI information on the NOCs received by EPA that have passed an initial screening during this period.

TABLE 2—NOCs RECEIVED AND UNDER REVIEW

Case No.	Received date	Commencement date	Chemical substance
P–16–0408	07/09/2025	05/31/2022	(G) Benzyloxy)-nitrophenyl diazen-1-yl]-hydroxy-dimethyl-2-oxo-dihydropyridine-carbonitrile.
P–21–0184	07/23/2025	07/22/2025	(S) Fatty acids, Soya, reaction products with ammonia-ethanolamine reaction by-products.
P–23–0044	07/31/2025	07/18/2025	(G) Monoaromatic cyclic alkylene sulfonium fluoroalkyl sulfonic acid salt.
P–23–0080	07/31/2025	07/18/2025	(G) Aromatic sulfonium tricyclo fluoroalkyl sulfonic acid salt.
P–23–0168	07/29/2025	12/20/2024	(G) Sulfamide fluorophosphate salt.
P–24–0079	07/30/2025	07/29/2025	(G) Alkylated succinimide.
P–25–0066	07/24/2025	06/25/2025	(G) Sulfonium, bis (dihalo carbomonocycle) carbomonocycle-, salt with dihalo-sulfoalkyl-[(alkenylcarbomonocycle)substituted] trisubstituted benzoate, polymer with alkenylcarbomonocycle and alkylcarbomonocycle alkyl alkenoate.
P–25–0067	07/24/2025	06/25/2025	(G) Sulfonium, bis (dihalo carbomonocycle) carbomonocycle-, salt with trihalobenzoate.

Table 3 provides non-CBI information on the test information that has been received by EPA that have passed an initial screening during this period.

TABLE 3—TEST INFORMATION RECEIVED

Case No.	Received date	Type of test information	Chemical substance
L–25–0030	07/25/2025	Supplemental information	(G) 2-Alkanone, halo-1,1,1-trifluoro-.
P–14–0712	06/30/2025	Polychlorinated Dibenzodioxins and Polychlorinated Dibenzofurans Testing.	(S) Waste plastics, pyrolyzed, C5–55 fraction.
P–16–0543	07/23/2025	Monitoring Report	(G) Halogenophosphoric acid metal salt.
P–18–0016	07/18/2025	Photo transformation of Chemicals in Water—Direct Photolysis (OECD Test Guideline 316).	(G) Aromatic sulfonium tricyclo fluoroalkyl sulfonic acid salt.
P–19–0166	07/23/2025	Partition Coefficient (1-Octanol/Water): Slow-Stirring Method (OECD Test Guideline 123); Photo transformation of Chemicals in Water—Direct Photolysis (OECD Test Guideline 316).	(G) Triaryl sulfonium, multicycloalkylalkoxycarbonyloxym-onofluoroalkylsulfonate.
P–20–0042	07/18/2025	Photo transformation of Chemicals in Water—Direct Photolysis (OECD Test Guideline 316).	(G) Sulfonium, trisaryl-, 7,7-dialkyl-2-heteropolycyclic -1-alkanesulfonate (1:1).

TABLE 3—TEST INFORMATION RECEIVED—Continued

Case No.	Received date	Type of test information	Chemical substance
P–20–0159, P–20–0147, P–20–0152, P–20–0155.	07/28/2025	Test data	(G) Phenoxathiin ium, 10-phenyl, 5-alkyl-2-alkyl-4-(2,4,6-substituted tri-carbomonocycle, hetero-acid)benzenesulfonate (1:1); (G) Substituted-2H-thiopyrylium, salt with fluoroalkyl tricycloalkane-carboxylate (1:1); (G) Sulfonium, triphenyl-, salt with 2,2-difluoro-2-sulfoethyl-2-oxo substituted -heterotricycloalkane-heteropolycycle-carboxylate (1:1); (G) Sulfonium, triphenyl-, salt with 5-alkyl- 2-alkyl- 4-(2,4,6-substituted tri-carbomonocycle, hetero-acid)benzenesulfonate (1:1).
P–21–0202	07/23/2025	Water Solubility (Shake Flask Method) (OECD Test Guideline 105); Partition Coefficient (n-Octanol/Water): Shake Flask Method (OECD Test Guideline 107); Dissociation Constants in Water (Conductometric Method) (OECD Test Guideline 112).	(G) Sulfonium, carbomonocycle bis [(Tri haloalkyl) carbomonocycle], substituted carbomonocyclic ester.
P–22–0055	07/18/2025	Photo transformation of Chemicals in Water—Direct Photolysis (OECD Test Guideline 316).	(G) Aromatic sulfonium tricyclo fluoroalkyl sulfonic acid salt.
P–22–0087	07/23/2025	*in Vitro* Skin Irritation: Reconstructed Human Epidermis Test Method (OECD Test Guideline 439); *in Vitro* Skin Corrosion: Reconstructed Human Epidermis (RHE) Test Method (OECD Test Guideline 431).	(S) Fatty acids, C18-unsatd., dimers, polymers with acrylic acid, bisphenol A, epichlorohydrin, oleic acid, 2,2′-[oxybis(methylene)] bis[2-ethyl-1,3-propanediol] and phthalic anhydride.
P–22–0129, P–20–0140, P–20–0141, P–20–0142, P–20–0145.	07/28/2025	Determination of n-Octanol/Water Partition Coefficient (Slow Stir Method).	(G) Substituted heterocyclic onium compound, salt with heteropolysubstitutedalkyl substitutedtricycloalkane carboxylate (1:1), polymer with 1-alkenyl4-[(alkyl cycloalkyl)oxy]carbomonocycle, 5-ethyloctahydro-4,7-methano-1H-inden-5-yl 2-methyl-2-propenoate, hexahydro-5-oxo-2,6- methanofuro[3,2-b]furan-3-yl 2-methyl-2-propenoate and 4-hydroxyphenyl 2-methyl-2-propenoate; (G) N-Substituted-beta-alanine, heterosubstituted-alkyl ester, ion(1-), triphenylsulfonium (1:1); (G) Sulfonium, [4-(1,1-dimethylethyl)phenyl]diphenyl-, salt with heterosubstituted-alkyl Tri cycloalkane-carboxylate (1:1); (G) Dibenz thiophenium, 5-phenyl-, salt with 2,2-difluoro-2-sulfoethyl substituted-heterotricycloalkane-carboxylate (1:1); (G) Substituted heterocyclic onium compound, salt with fluoropoly substitutedalkyl substituted Tri cycloalkane carboxylate (1:1), polymer with disubstituted aromatic compound and 1-methylcyclopentyl 2-methyl-2-propenoate, di-Me 2,2′-(1,2-diazenediyl)bis[2-methylpropanoate]-initiated.
P–23–0037	07/18/2025	Photo transformation of Chemicals in Water—Direct Photolysis (OECD Test Guideline 316).	(G) Monoaromatic cyclic alkylene sulfonium fluoroalkyl sulfonic acid salt.
P–23–0044	07/18/2025	Photo transformation of Chemicals in Water—Direct Photolysis (OECD Test Guideline 316).	(G) Monoaromatic cyclic alkylene sulfonium fluoroalkyl sulfonic acid salt.
P–23–0050, P–19–0114, P–19–0133, P–20–0122, P–20–0139.	07/28/2025	Test data	(G) Substituted heterocyclic onium compound, salt with heteropolysubstitutedalkylsubstituted tricycloalkanecarboxylate (1:1), polymer with 3-ethenylphenol and heterosubstitutedaromaticalkyl 2-methyl-2-propenoate, di-Me 2,2′-(1,2-diazenediyl) bis[2-methylpropanoate]-initiated; (G) Sulfonium, triphenyl-, trifluoro-hydroxy-(triheterosubstituted alkyl)alkanoate (1:1); (G) Heterodisubstituted-bile acid, 1-(difluorosulfomethyl)-2,2,2-trifluoroethyl ester, ion(1-), (5)-, triphenylsulfonium (1:1); (G) Heterocyclic onium compound with fluoro substitutedalkyl 2-methyl-2-propenoate (1:1), polymer with acenaphthylene, 4-ethenyl-alpha, alphadi methylbenzenemethanol and 4-ethenylphenyl acetate, hydrolyzed; (G) Sulfonium, triphenyl-, 1,2-fluoroalkyltricycloalkyl-1-carboxylate (1:1).

TABLE 3—TEST INFORMATION RECEIVED—Continued

Case No.	Received date	Type of test information	Chemical substance
P–23–0080	07/18/2025	Photo transformation of Chemicals in Water—Direct Photolysis (OECD Test Guideline 316).	(G) Aromatic sulfonium tricyclo fluoroalkyl sulfonic acid salt.
P–23–0093	07/18/2025	Photo transformation of Chemicals in Water—Direct Photolysis (OECD Test Guideline 316).	(G) Aromatic Dibenzothiophenium fluoroalkyl carbopolycycle sulfonic acid salt.
P–24–0160	07/18/2025	Photo transformation of Chemicals in Water—Direct Photolysis (OECD Test Guideline 316).	(G) Iodonium, bis (dialkyl carbomonocycle) salt with alkyl carbomonocycle hetero acid.
P–24–0185, P–19–0078, P–19–0079, P–19–0111, P–19–0112.	07/28/2025	Determination of n-Octanol/Water Partition Coefficient (Slow Stir Method).	(G) Sulfonium, triphenyl-, salt with fluoro sulfoalkyl-fluoroalkyl substituted-heterotricycloalkane-carboxylate (1:1); (G) Substituted heterocyclic onium compound, salt with 2,2,2-trifluoro-1-(sulfomethyl)-1-(trifluoromethyl)ethyl 3-[(2-methyl-1-oxo-2-propen-1-yl)oxy]tricycle[3.3.1.13,7]decane-1-carboxylate (1:1), polymer with acenaphthylene, 1-ethenyl-4-[(1-ethylcyclopentyl)oxy]benzene and 4-ethenylphenol, di-Me 2,2′-(1,2-diazenediyl)bis[2-methylpropanoate]-initiated; (G) substituted heterocyclic onium compound, salt with 2,2,2-trifluoro-1-(sulfomethyl)-1-(trifluoromethyl)ethyl 3-[(2-methyl-1-oxo-2-propen-1-yl)oxy]tricyclo[3.3.1.13,7]decane-1-carboxylate (1:1), polymer with acenaphthylene, 1-ethenyl-4-[[1-(1-methylethyl)cyclopentyl] oxy]benzene and 4-ethenylphenol, di-Me 2,2′-(1,2-diazenediyl)bis[2-methylpropanoate]-initiated; (G) Dibenzothiophenium, trifluoro-hydroxy-(trihetero substitutedalkyl)alkanoate (1:1); (G) Substituted heterocyclic onium compound, salt with 1-(difluorosulfomethyl)-2,2,2-trifluoroethyl 3-[(2-methyl-1-oxo-2-propen-1-yl)oxy]tricyclo[3.3.1.13,7]decane-1-carboxylate (1:1), polymer with 3-etheylphenol, 1-(1-methylethyl)cyclopentyl 2-methyl-2-propenoate and 1-(7- oxabicyclo[2.2.1]hept-2-yl)cyclopentyl 2-methyl-2-propenoate, di-Me 2,2′-(1,2-diazenediyl)bis[2-methylpropenoate]-initiated.
P–24–0190	07/18/2025	Photo transformation of Chemicals in Water—Direct Photolysis (OECD Test Guideline 316).	(G) Aromatic sulfonium tricyclo salt with alkyl carbomonocycle hetero acid.
P–25–0016	07/18/2025	Photo transformation of Chemicals in Water—Direct Photolysis (OECD Test Guideline 316).	(G) Tri haloaromatic iodonium dicyclo salt with polyhaloalkyl carbomonocycle hetero acid.
P–25–0028, P–17–0178, P–18–0013, P–18–0014, P–18–0037.	07/29/2025	Determination of n-Octanol/Water Partition Coefficient (Slow Stir Method).	(G) Heteroonium, tri(substitutedaromatichydrocarbon)-, nitrate (1:1); (G) Sulfonium, triphenyl-, salt with substituted-alkyl 4-substituted-benzoate; (G) Sulfonium, pheno carbopolycycle, inner salt; (G) Sulfonium, triphenyl-, salt with disubstituted-heterocyclic compound (1:1); (G) Sulfonium, triphenyl-, salt with 2,4,5-trisubstituted-benzenesulfonate (1:1).
P–25–0066	07/23/2025	Water Solubility (Shake Flask Method) (OECD Test Guideline 105); Partition Coefficient (n-Octanol/Water): Shake Flask Method (OECD Test Guideline 107); Dissociation Constants in Water (Conductometric Method) (OECD Test Guideline 112).	(G) Sulfonium, bis (dihalo carbomonocycle) carbomonocycle-, salt with dihalo-sulfoalkyl [(alkenylcarbomonocycle)substituted] trisubstituted benzoate, polymer with alkenylcarbomonocycle and alkylcarbomonocycle alkyl alkenoate.
P–25–0067	07/23/2025	Water Solubility (Shake Flask Method) (OECD Test Guideline 105); Partition Coefficient (n-Octanol/Water): Shake Flask Method (OECD Test Guideline 107); Dissociation Constants in Water (Conductometric Method) (OECD Test Guideline 112).	(G) Sulfonium, bis (dihalo carbomonocycle) carbomonocycle-, salt with trihalobenzoate.
P–25–0097	07/18/2025	Photo transformation of Chemicals in Water—Direct Photolysis (OECD Test Guideline 316).	(G) Aromatic sulfonium tricyclo salt with dicycloalkyl carbomonocycle hetero acid.

TABLE 3—TEST INFORMATION RECEIVED—Continued

Case No.	Received date	Type of test information	Chemical substance
P–25–0100	07/18/2025	Photo transformation of Chemicals in Water—Direct Photolysis (OECD Test Guideline 316).	(G) Aromatic sulfonium tricyclo salt with alkyl carbomonocycle hetero acid.
P–25–0102	07/18/2025	Photo transformation of Chemicals in Water—Direct Photolysis (OECD Test Guideline 316).	(G) Carboheterocyclo aromatic sulfonium salt with dicycloalkyl carbomonocycle hetero acid.
P–25–0110	07/29/2025	28 Day Repeated Dose Oral Toxicity Study in Rats, IUCLID Summaries, Vapor Pressure Report, Statement of environmental monitoring test, Acute Dermal Toxicity in Rats, Activated Sludge Respiration Inhibition Test, OECD–HT Vapor Pressure, Adsorption coefficient on soil and sewage sludge, Ready Biodegradability-CO2 evolution, Daphnia magna reproduction study, Fish acute toxicity study, In vitro mammalian cell gene mutation study, Prenatal developmental toxicity study, Physical Chemical Properties 2, OECD HT Adsorption coefficient, OECD HT Hydrolysis as a function of pH, OECD HT Partition Coefficient, OECD HT Water Solubility.	
P–25–0111	07/18/2025	Photo transformation of Chemicals in Water—Direct Photolysis (OECD Test Guideline 316).	(G) Haloaromatic iodonium dicyclo salt with polyfluoroalkyl carbomonocycle hetero acid.
P–25–0112	07/18/2025	Photo transformation of Chemicals in Water—Direct Photolysis (OECD Test Guideline 316).	(G) Haloaromatic iodonium dicyclo salt with halogenated hydroxyaryl carboxylic acid.

IV. Status Reports

Information about the TSCA section 5 PMNs, SNUNs, MCANs, and exemption applications received, including the date of receipt, the status of EPA's review, the final EPA determination, and the effective date of EPA's determination, is available online at: *https://www.epa.gov/reviewing-new-chemicals-under-toxic-substances-control-act-tsca/status-pre-manufacture-notices.*

Authority: 15 U.S.C. 2601 *et seq.*

Dated: September 9, 2025.

Mary Elissa Reaves,

Director, Office of Pollution Prevention and Toxics.

[FR Doc. 2025–17563 Filed 9–10–25; 8:45 am]

BILLING CODE 6560–50–P

FEDERAL COMMUNICATIONS COMMISSION

[OMB 3060–0972; FR ID 311979]

Information Collection Being Reviewed by the Federal Communications Commission Under Delegated Authority

AGENCY: Federal Communications Commission.

ACTION: Notice and request for comments.

SUMMARY: As part of its continuing effort to reduce paperwork burdens, and as required by the Paperwork Reduction Act (PRA) of 1995, the Federal Communications Commission (FCC or the Commission) invites the general public and other Federal agencies to take this opportunity to comment on the following information collection. Comments are requested concerning: whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; the accuracy of the Commission's burden estimate; ways to enhance the quality, utility, and clarity of the information collected; ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology; and ways to further reduce the information collection burden on small business concerns with fewer than 25 employees. The FCC may not conduct or sponsor a collection of information unless it displays a currently valid control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the PRA that does not display a valid Office of Management and Budget (OMB) control number.

DATES: Written PRA comments should be submitted on or before November 10, 2025. If you anticipate that you will be submitting comments, but find it difficult to do so within the period of time allowed by this notice, you should advise the contact listed below as soon as possible.

ADDRESSES: Direct all PRA comments to Nicole Ongele, FCC, via email *PRA@fcc.gov* and to *nicole.ongele@fcc.gov.*

FOR FURTHER INFORMATION CONTACT: For additional information about the information collection, contact Nicole Ongele, (202) 418–2991.

SUPPLEMENTARY INFORMATION:

OMB Control Number: 3060–0972.

Title: Multi-Association Group (MAG) Plan Order, Parts 54 and 69 Filing Requirements for Regulation of Interstate Services of Non-Price Cap Incumbent Local Exchange Carriers and Interexchange Carriers.

Form Number(s): N/A.

Type of Review: Extension of a currently approved collection.

Respondents: Business or other for profit.

Number of Respondents and Responses: 201 respondents; 68 responses.

Estimated Time per Response: 20–90 hours.

Frequency of Response: On occasion and three-year reporting requirements.

Obligation to Respond: Required to obtain or retain benefits. Statutory authority is contained in 47 U.S.C. 1–4, 10, 154(i), 154(j), and 201–205.

Total Annual Burden: 1,422 hours.

Total Annual Cost: $1,040.

Needs and Uses: Following the passage of the Telecommunications Act of 1996 (1996 Act), the Commission adopted interstate access charge and universal service support reforms. These reforms were designed to establish a ''pro-competitive, deregulatory national policy framework'' for the United States telecommunications industry. Specifically, the Commission aligned the interstate access rate structure more closely with the manner in which costs are incurred, and created a universal service support mechanism for rate-of-return carriers (Interstate Common Line Support (ICLS)) to replace implicit support in interstate access charges with explicit support that is portable to all eligible telecommunications carriers. More recently, the Commission reformed this universal service support mechanism, enabling rate-of-return carriers to elect to receive fixed support or to continue to receive cost-based support. The new cost-based support is known as Connect America Fund Broadband Loop (CAF BLS) support.

To administer the CAF BLS support mechanism, the Universal Service Administrative Company collects demand, cost, and revenue data from rate-of-return carriers that did not elect to receive fixed support. In addition, rate-of-return carriers are required to submit demand, cost, and revenue data to the Commission to ensure that their cost-based rates are just and reasonable.

Federal Communications Commission.

Marlene Dortch,

Secretary, Office of the Secretary.

[FR Doc. 2025–17511 Filed 9–10–25; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL COMMUNICATIONS COMMISSION

[OMB 3060–0767; FR ID 311986]

Information Collection Being Reviewed by the Federal Communications Commission Under Delegated Authority

AGENCY: Federal Communications Commission.

ACTION: Notice and request for comments.

SUMMARY: As part of its continuing effort to reduce paperwork burdens, and as required by the Paperwork Reduction Act (PRA) of 1995, the Federal Communications Commission (FCC or Commission) invites the general public and other Federal agencies to take this opportunity to comment on the following information collections. Comments are requested concerning: whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; the accuracy of the Commission's burden estimate; ways to enhance the quality, utility, and clarity of the information collected; ways to minimize the burden of the collection of information on the respondents, including the use of automated collection burden on small business concerns with fewer than 25 employees. The FCC may not conduct or sponsor a collection of information unless it displays a currently valid OMB control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the PRA that does not display a valid OMB control number.

DATES: Written PRA comments should be submitted on or before November 10, 2025. If you anticipate that you will be submitting comments but find it difficult to do so within the period of time allowed by this notice, you should advise the contact listed below as soon as possible.

ADDRESSES: Direct all PRA comments to Cathy Williams, FCC, via email *PRA@fcc.gov* and to *Cathy.Williams@fcc.gov*.

FOR FURTHER INFORMATION CONTACT: For additional information about the information collection, contact Cathy Williams at (202) 418–2918.

SUPPLEMENTARY INFORMATION:

OMB Control Number: 3060–0767.

Title: Sections 1.2110, 1.2111 and 1.2112, Auction and Licensing Disclosures—Ownership and Designated Entity Status.

Form Number: N/A.

Type of Review: Extension of a currently approved collection.

Respondents: Business or other for profit, Not-for-profit institutions, and State, local or tribal government.

Number of Respondents: 310 respondents; 310 responses.

Estimated Time per Response: 0.50 hours to 2 hours.

Frequency of Response: On occasion reporting requirement, Third party disclosure requirement, and Recordkeeping requirement.

Obligation to Respond: Required to obtain or retain benefits. Statutory authority for this information collection is contained in sections 154(i) and 309(j) of the Communications Act, as amended, 47 U.S.C. 4(i) and 309(j).

Total Annual Burden: 470 hours.

Total Annual Costs: $31,500.

Needs and Uses: A request for extension of this information collection (no change in requirements) will be submitted to the Office of Management and Budget (OMB) after this 60-day comment period in order to obtain the full three-year clearance from OMB. Beginning first on May 5, 1997, OMB approved under OMB 3060–0767 the Commission's collections of information pursuant to sections 1.2110, 1.2111, and 1.2112 of the Commission's rules, 47 CFR 1.2110, 1.2111, and 1.2112, and their predecessors, regarding ownership and designated entity status of parties involved with Commission licenses. The Commission collects this information in several contexts, including when determining the eligibility of applicants to participate in Commission auctions (including eligibility to claim designated entity benefits), the eligibility of parties to hold a Commission license/authorization (including eligibility for designated entity benefits), the eligibility of parties to whom licenses/authorizations are being assigned or transferred, and the repayment by license/authorization holders of the amount of bidding credits received in Commission auctions to avoid unjust enrichment. Applicants and licensees/authorization holders claiming eligibility for designated entity status are subject to audits and a record-keeping requirement regarding FCC-licensed service concerning such claims of eligibility, to confirm that their representations are, and remain, accurate. The collection of this information will enable the Commission to determine whether applicants are qualified to bid on and hold Commission licenses/authorizations and, if applicable, to receive designated entity benefits, and is designed to ensure the fairness of the auction, licensing, and license/authorization assignment and transfer processes. The information collected will be reviewed and, if warranted, referred to the Commission's Enforcement Bureau for possible investigation and administrative action. The Commission may also refer allegations of anticompetitive auction conduct to the Department of Justice for investigation. OMB has approved separately the routine collections of information pursuant to these Commission rules in applications to participate in Commission auctions) under OMB 3060–0600 (FCC Form 175), in

Commission licensing applications under OMB 3060–0798 (FCC Form 601), and in assignment/transfer of control applications under OMB 3060–0800 (FCC Form 603). On occasion, the Commission may collect information from auction applicants, winning bidders and others applying for licenses/authorizations, and license/authorization holders pursuant to these rules under this information collection to clarify information provided in these application forms or in circumstances to which the standard forms may not directly apply.

Federal Communications Commission.

Marlene Dortch,

Secretary.

[FR Doc. 2025–17510 Filed 9–10–25; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL COMMUNICATIONS COMMISSION

[OMB 3060–0433; FR ID 311936]

Information Collection Being Reviewed by the Federal Communications Commission

AGENCY: Federal Communications Commission.

ACTION: Notice and request for comments.

SUMMARY: As part of its continuing effort to reduce paperwork burdens, and as required by the Paperwork Reduction Act (PRA) of 1995, the Federal Communications Commission (FCC or Commission) invites the general public and other Federal agencies to take this opportunity to comment on the following information collections. Comments are requested concerning: whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; the accuracy of the Commission's burden estimate; ways to enhance the quality, utility, and clarity of the information collected; ways to minimize the burden of the collection of information on the respondents, including the use of automated collection burden on small business concerns with fewer than 25 employees. The FCC may not conduct or sponsor a collection of information unless it displays a currently valid OMB control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the PRA that does not display a valid OMB control number.

DATES: Written PRA comments should be submitted on or before November 10, 2025. If you anticipate that you will be submitting comments but find it difficult to do so within the period of time allowed by this notice, you should advise the contact listed below as soon as possible.

ADDRESSES: Direct all PRA comments to Cathy Williams, FCC, via email *PRA@fcc.gov* and to *Cathy.Williams@fcc.gov.*

FOR FURTHER INFORMATION CONTACT: For additional information about the information collection, contact Cathy Williams at (202) 418–2918.

SUPPLEMENTARY INFORMATION:

OMB Control Number: 3060–0433.

Title: Basic Signal Leakage Performance Report.

Form Number: FCC Form 320.

Type of Review: Extension of a currently approved collection.

Respondents: Business or other for-profit entities.

Number of Respondents and Responses: 230 respondents and 1,600 responses.

Frequency of Response: Recordkeeping requirement, Annual reporting requirement.

Estimated Time per Hours: 20 hours.

Total Annual Burden: 32,000 hours.

Total Annual Cost: No cost.

Obligation to Respond: Required to obtain or retain benefits. The statutory authority for this collection is contained in Sections 4(i), 302 and 303 of the Communications Act of 1934, as amended.

Needs and Uses: Cable television system operators and Multichannel Video Programming Distributors (MPVDs) who use frequencies in the bands 108–137 and 225–400 MHz (aeronautical frequencies) are required to file a Cumulative Signal Leakage Index (CLI) derived under 47 CFR 76.611(a)(1) or the results of airspace measurements derived under 47 CFR 76.611(a)(2). This filing must include a description of the method by which compliance with basic signal leakage criteria is achieved and the method of calibrating the measurement equipment. This yearly filing of FCC Form 320 is done in accordance with 47 CFR 76.1803. The records must be retained by cable operators.

Federal Communications Commission.

Marlene Dortch,

Secretary.

[FR Doc. 2025–17514 Filed 9–10–25; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL ELECTION COMMISSION

Sunshine Act Meetings

TIME AND DATE: Tuesday, September 16, 2025 at 10:30 a.m.

PLACE: 1050 First Street NE, Washington, DC and virtual (this meeting will be a hybrid meeting).

STATUS: This meeting will be closed to the public.

MATTERS TO BE CONSIDERED: Matters concerning participation in civil actions or proceedings or arbitration.

* * * * *

CONTACT PERSON FOR MORE INFORMATION: Myles Martin, Deputy Press Officer, telephone: (202) 694–1221.

(Authority: Government in the Sunshine Act, 5 U.S.C. 552b.)

Vicktoria J. Allen,

Deputy Secretary of the Commission.

[FR Doc. 2025–17564 Filed 9–9–25; 4:15 pm]

BILLING CODE 6715–01–P

FEDERAL ELECTION COMMISSION

Sunshine Act Meetings

TIME AND DATE: Thursday, September 18, 2025, 10:00 a.m.

PLACE: *Hybrid meeting:* 1050 First Street NE, Washington, DC (12th floor) and virtual.

STATUS: The September 18, 2025 Open Meeting has been canceled.

CONTACT PERSON FOR MORE INFORMATION: Myles Martin, Deputy Press Officer, Telephone: (202) 694–1221.

(Authority: Government in the Sunshine Act, 5 U.S.C. 552b)

Vicktoria J. Allen,

Deputy Secretary of the Commission.

[FR Doc. 2025–17562 Filed 9–9–25; 4:15 pm]

BILLING CODE 6715–01–P

FEDERAL RESERVE SYSTEM

Change in Bank Control Notices; Acquisitions of Shares of a Bank or Bank Holding Company

The notificants listed below have applied under the Change in Bank Control Act (Act) (12 U.S.C. 1817(j)) and § 225.41 of the Board's Regulation Y (12 CFR 225.41) to acquire shares of a bank or bank holding company. The factors that are considered in acting on the applications are set forth in paragraph 7 of the Act (12 U.S.C. 1817(j)(7)).

The public portions of the applications listed below, as well as other related filings required by the

Board, if any, are available for immediate inspection at the Federal Reserve Bank(s) indicated below and at the offices of the Board of Governors. This information may also be obtained on an expedited basis, upon request, by contacting the appropriate Federal Reserve Bank and from the Board's Freedom of Information Office at *https://www.federalreserve.gov/foia/request.htm.* Interested persons may express their views in writing on the standards enumerated in paragraph 7 of the Act.

Comments received are subject to public disclosure. In general, comments received will be made available without change and will not be modified to remove personal or business information including confidential, contact, or other identifying information. Comments should not include any information such as confidential information that would not be appropriate for public disclosure.

Comments regarding each of these applications must be received at the Reserve Bank indicated or the offices of the Board of Governors, Ann E. Misback, Secretary of the Board, 20th Street and Constitution Avenue NW, Washington, DC 20551–0001, not later than September 26, 2025.

A. Federal Reserve Bank of Minneapolis (Mark Nagle, Assistant Vice President) 90 Hennepin Avenue, Minneapolis, Minnesota 55480–0291. Comments can also be sent electronically to *MA@mpls.frb.org:*

1. *Jennifer S. Johnson, as co-trustee of the Jennifer S. Johnson Irrevocable Trust I and the Jennifer S. Johnson Irrevocable Trust II (together, the ''Johnson Irrevocable Trusts''), trustee of the Jennifer S. Johnson Trust, all of Chanhassen, Minnesota, and as co-trustee of the Susan G. Sneer GST Exempt Family Trust, Mankato, Minnesota; Kelly J. Campbell, Bloomington, Minnesota, as co-trustee of the Johnson Irrevocable Trusts; and Michael J. Werner, as co-trustee of the Stuart J. Sneer Irrevocable Trust I and the Stuart J. Sneer Irrevocable Trust II, all of Battle Lake, Minnesota;* to retain voting shares of Farmers State Corporation, Mankato, Minnesota, and thereby indirectly retain voting shares of United Prairie Bank, Mountain Lake, Minnesota.

Additionally, Kelly J. Campbell and Michael J. Werner to join the Sneer Family Shareholder Group, a group acting in concert, to retain voting shares of Farmers State Corporation, and thereby indirectly retain voting shares of United Prairie Bank. Jennifer S. Johnson and all of the aforementioned trusts were previously permitted to join the Sneer Family Shareholder Group.

Board of Governors of the Federal Reserve System.

Michele Taylor Fennell,

Associate Secretary of the Board.

[FR Doc. 2025–17548 Filed 9–10–25; 8:45 am]

BILLING CODE P

FEDERAL TRADE COMMISSION

Granting of Requests for Early Termination of the Waiting Period Under the Premerger Notification Rules

Section 7A of the Clayton Act, 15 U.S.C. 18a, as added by Title II of the Hart-Scott-Rodino Antitrust Improvements Act of 1976, requires persons contemplating certain mergers or acquisitions to give the Federal Trade Commission and the Assistant Attorney General advance notice and to wait designated periods before consummation of such plans. Section 7A(b)(2) of the Act permits the agencies, in individual cases, to terminate this waiting period prior to its expiration and requires that notice of this action be published in the **Federal Register**.

The following transactions were granted early termination—on the dates indicated—of the waiting period provided by law and the premerger notification rules. The listing for each transaction includes the transaction number and the parties to the transaction. The grants were made by the Federal Trade Commission and the Assistant Attorney General for the Antitrust Division of the Department of Justice. Neither agency intends to take any action with respect to these proposed acquisitions during the applicable waiting period.

EARLY TERMINATIONS GRANTED

[July 1, 2025, through August 31, 2025]

07/02/2025		
20241905	S	Safran S.A.; RTX Corporation; Safran S.A.
20251327	G	The Doctors Company; ProAssurance Corporation; The Doctors Company.
20251341	G	Integrum Grit Co-Invest LP; Stout Intermediate Holdings, L.P.; Integrum Grit Co-Invest LP.
20251346	G	TPG Partners IX, L.P.; AvidXchange Holdings, Inc.; TPG Partners IX, L.P.
20251350	G	Nomura Holdings, Inc.; Macquarie Group Limited; Nomura Holdings, Inc.
20251391	G	Baker Hughes Company; Tinicum L.P.; Baker Hughes Company.
07/08/2025		
20251369	G	G–3 Chickadee Aggregator, LLC; The Goodyear Tire & Rubber Company; G–3 Chickadee Aggregator, LLC.
20251387	G	HP Prestige Aggregator 1, LP; MedX AMCP Holdings, LLC; HP Prestige Aggregator 1, LP.
07/15/2025		
20251381	G	Tikehau Alliance 2 Fund SLP; Leon Black; Tikehau Alliance 2 Fund SLP.
20251397	G	Acrisure Holdings, Inc.; Global Payments Inc.; Acrisure Holdings, Inc.
20251402	G	Olympus Water Holdings I, L.P.; Ranger Holding LLC; Olympus Water Holdings I, L.P.
20251407	G	ACG Parent Holdings, LP; Arrow Management Holdings, LLC; ACG Parent Holdings, LP.
20251412	G	TA XV–B, L.P.; HealthMark Holdings, LLC; TA XV–B, L.P.
20251413	G	Gridiron Capital Fund V, L.P.; Greenix Investments, LLC; Gridiron Capital Fund V, L.P.
20251414	G	Citation Fund I LP; GML Holdings L.L.C.; Citation Fund I LP.
20251423	G	Sterling Infrastructure, Inc.; Ray Waddell; Sterling Infrastructure, Inc.
20251425	G	Enzon Pharmaceuticals, Inc.; Carl C. Icahn; Enzon Pharmaceuticals, Inc.
20251429	G	Griffon Topco, LP; Layerzero Power Systems, Inc.; Griffon Topco, LP.
20251433	G	KKR Management LLP; Michael Marhofer; KKR Management LLP.
20251454	G	HEICO Corporation; Andrew M. Jackson; HEICO Corporation.

EARLY TERMINATIONS GRANTED—Continued

[July 1, 2025, through August 31, 2025]

20251456	G	Hoshizaki Corporation; Mason Wells Buyout Fund IV, LP; Hoshizaki Corporation.
		07/22/2025
20251394	G	Pearson plc; Gauge Capital Parallel II Preferred SPV LP; Pearson plc.
20251408	G	Eli Lilly and Company; Verve Therapeutics, Inc.; Eli Lilly and Company.
20251442	G	Novant Health, Inc.; TPG Growth V DE AIV II, L.P.; Novant Health, Inc.
20251444	G	EPFS Acquisition Holdings, LP; Frazier Healthcare Growth Buyout Fund IX, L.P.; EPFS Acquisition Holdings, LP.
20251466	G	Samsung Electronics Co., Ltd.; Triton Fund IV L.P.; Samsung Electronics Co., Ltd.
20251468	G	RCP Artemis Co-Invest, L.P.; AG Congress Holdings, LP; RCP Artemis Co-Invest, L.P.
20251471	G	EQT Infrastructure VI (No.1) EUR SCSp; North Haven Infrastructure Partners III SCSp; EQT Infrastructure VI (No.1) EUR SCSp.
20251472	G	EQT Infrastructure VI (No.1) EUR SCSp; North Haven Infrastructure Partners III (AIV–B) SCSp; EQT Infrastructure VI (No.1) EUR SCSp.
		07/24/2025
20251411	G	9543–0302 Quebec Inc.; IC Entegra Holdings, LP; 9543–0302 Quebec Inc.
20251488	G	Quad-C Partners X, L.P.; Warren Equity Partners ELIDO Fund I, L.P.; Quad-C Partners X, L.P.
20251497	G	Array Technologies, Inc.; SunHoldings, LLC; Array Technologies, Inc.
20251508	G	ISQ Global Infrastructure Fund III, L.P.; ENTEK Technology Holdings LLC; ISQ Global Infrastructure Fund III, L.P.
		07/28/2025
20251428	G	Gryphon Heritage Partners, L.P.; BCM Fund I, LP; Gryphon Heritage Partners, L.P.
20251432	G	EOG Resources, Inc.; Canada Pension Plan Investment Board; EOG Resources, Inc.
20251465	G	Chimera Investment Corporation; Seer Capital Partners Fund L.P.; Chimera Investment Corporation.
20251481	G	Flowserve Corporation; Chart Industries, Inc.; Flowserve Corporation.
20251484	G	Bridgepoint Europe VII Investments S.a r.l.; Safe Life AB; Bridgepoint Europe VII Investments S.a r.l.
20251496	G	1544362 B.C. Ltd.; Klick Ventures Inc.; 1544362 B.C. Ltd.
		08/04/2025
20251447	G	Ferdinand Porsche Familien Privatstiftung; Group14 Technologies, Inc.; Ferdinand Porsche Familien Privatstiftung.
20251473	G	Durare Topco, L.P.; Capricorn Holdco, LLC; Durare Topco, L.P.
20251475	G	Churchill Sponsor IX LLC; Plus Automation, Inc.; Churchill Sponsor IX LLC.
20251489	G	Suzhou Dongshan Precision Manufacturing Co., Ltd.; Source Photonics Holdings (Cayman) Limited; Suzhou Dongshan Precision Manufacturing Co., Ltd.
20251498	G	Emprise Group, Inc.; TCW Rescue Financing Fund LP; Emprise Group, Inc.
20251499	G	Mubadala Investment Company PJSC; Tallwood Technology Partners LLC; Mubadala Investment Company PJSC.
20251501	G	Nordic Capital XI Gamma, SCSp; Arcadia Solutions, Inc. ; Nordic Capital XI Gamma, SCSp.
		08/06/2025
20251479	G	26N Private Equity Partners I LP; Marlin Equity V, L.P.; 26N Private Equity Partners I LP.
20251483	G	Carronade Capital Master, LP; Telephone and Data Systems, Inc.; Carronade Capital Master, LP.
20251492	G	ORIX Corporation; Hilco Trading, LLC; ORIX Corporation.
20251502	G	Cortec Group Fund VIII, L.P.; AMCP III Legacy AIV, LP; Cortec Group Fund VIII, L.P.
20251513	G	White Mountains Insurance Group, Ltd.; AQ Phoenix Parent, L.P.; White Mountains Insurance Group, Ltd.
20251519	G	SoftBank Corp.; Cybereason Inc.; SoftBank Corp.
20251523	G	Gryphon Digital Mining, Inc.; Hut 8 Corp.; Gryphon Digital Mining, Inc.
20251528	G	Valor Equity Partners VI–B L.P.; Elon Musk; Valor Equity Partners VI–B L.P.
		08/07/2025
20251530	G	Vertiv Holdings Co.; Robert Lowther, Jr. and Carrie L. Lowther; Vertiv Holdings Co.
20251541	G	Zydus Family Trust; Agenus Inc.; Zydus Family Trust.
20251544	G	Haveli Cascade Co-Invest, L. P.; Couchbase, Inc.; Haveli Cascade Co-Invest, L.P.
20251545	G	BlackRock, Inc.; Missouri Opportunity Irrevocable Trust; BlackRock, Inc.
20251546	G	TSG9 L.P.; Ben Bennett; TSG9 L.P.
20251547	G	Washington H. Soul Pattinson and Company Limited; Brickworks Limited; Washington H. Soul Pattinson and Company Limited.
20251550	G	Fidelity National Information Services, Inc.; Amount, Inc.; Fidelity National Information Services, Inc.
20251551	G	Brave Topco Holdings, LP; The Rise Fund II DE AIV I, L. P.; Brave Topco Holdings, LP.
20251553	G	Unilever PLC; Yeti Acquisition Holdings, L.P.; Unilever PLC.
20251562	G	PVE Holdings LP; Pave America Holding, LLC; PVE Holdings LP.
20251570	G	Bayview MSR Opportunity Offshore, L.P.; McCarthy Capital Mortgage Investors, LLC; Bayview MSR Opportunity Offshore, L.P.
20251599	G	TPG Atlas Partners, L.P.; AnovoRx Holdings, Inc.; TPG Atlas Partners, L.P.
20251608	G	TPG GP Solutions AIV, L.P.; Earnix, Inc.; TPG GP Solutions AIV, L.P.

EARLY TERMINATIONS GRANTED—Continued

[July 1, 2025, through August 31, 2025]

08/13/2025		
20251368	G	AT&T Inc.; Lumen Technologies, Inc.; AT&T Inc.
08/15/2025		
20251532	G	Thoma Bravo Discover Fund IV, L.P.; Olo Inc.; Thoma Bravo Discover Fund IV, L.P.
20251533	G	RLDatix New Lux SCSp; Susquehanna Growth Equity Fund VI, LLLP; RLDatix New Lux SCSp.
20251542	G	Enterprise Products Partners L.P.; Occidental Petroleum Corporation; Enterprise Products Partners L.P.
20251549	G	Payam Zamani; Payam Zamani; Payam Zamani.
20251554	G	Brookfield Infrastructure Fund V–C, L.P.; Hotwire Parent, LLC; Brookfield Infrastructure Fund V–C, L.P.
20251601	G	Keyera Corp.; Plains All American Pipeline, L.P.; Keyera Corp.
20251619	G	HPS FEP Aggregator, LP; Masked Rider Capital Holdings Co., LLC; HPS FEP Aggregator, LP.
20251623	G	NICE Ltd.; Cognigy GmbH; NICE Ltd.
20251643	G	Elon R. Musk; Tesla, Inc.; Elon R. Musk.
08/19/2025		
20251596	G	Mark R. Walter; The Los Angeles Lakers, Inc.; Mark R. Walter.
20251613	G	WP EJD Aggregator L.P.; Bain Capital Distressed and Special Situations 2019; WP EJD Aggregator L.P.
20251618	G	ICG Europe Fund VIII (Feeder) SCSp; Benjamin Harold Walker, Jr.; ICG Europe Fund VIII (Feeder) SCSp.
20251626	G	Capgemini SE; WNS (Holdings) Limited; Capgemini SE.
20251650	G	TCV X, L.P.; Redis, Ltd.; TCV X, L.P.
20251661	G	ISQ Global Infrastructure Fund IV, L.P.; ENTEK Technology Holdings LLC; ISQ Global Infrastructure Fund IV, L.P.
20251663	G	Lithia Motors, Inc.; Edward F. Napleton; Lithia Motors, Inc.
20251670	G	Blackstone Growth II L.P.; NetBrain Technologies Inc.; Blackstone Growth II L.P.
08/21/2025		
20251552	G	The Home Depot, Inc.; GMS Inc.; The Home Depot, Inc.
08/26/2025		
20251399	G	Salesforce, Inc.; Informatica Inc.; Salesforce, Inc.
08/27/2025		
20251605	G	WCAS XIII, L.P.; H.I.G. Capital Partners V, L.P.; WCAS XIII, L.P.
20251627	G	The LEO Foundation; C.H. Boehringer Sohn AG & Co. KG; The LEO Foundation.
20251630	G	NICP IV Holdings Partnership; EQT Infrastructure II Limited Partnership; NICP IV Holdings Partnership.
20251631	G	Gold Reserve Ltd.; PDV Holding, Inc.; Gold Reserve Ltd.
20251637	G	Marathon Petroleum Corporation; Five Point Energy Fund III AIV–V LP; Marathon Petroleum Corporation.
20251638	G	AI Global Investments II & Cy S.C. A.; Reckitt Benckiser Group plc; AI Global Investments II & Cy S.C.A.
20251653	G	GSK plc; Jiangsu Hengrui Pharmaceuticals Co., Ltd.; GSK plc.
20251668	G	Saudi Agricultural and Livestock Investment Company; Temasek Holdings (Private) Limited; Saudi Agricultural and Livestock Investment Company.
20251669	G	Sempra; KKR Denali Aggregator L. P.; Sempra.
20251671	G	Maverick Holdings, LP; KPCI Holdings Ltd.; Maverick Holdings, LP.
08/29/2025		
20251664	G	Francisco Partners VII–A, L.P.; TPG Partners IX, L.P.; Francisco Partners VII–A, L.P.
20251676	G	Uber Technologies, Inc.; Lucid Group, Inc.; Uber Technologies, Inc.
20251677	G	Platinum Equity Small Cap Fund II, L.P.; Anuvu Corp.; Platinum Equity Small Cap Fund II, L.P.
20251679	G	WisdomTree, Inc.; Mr. Perry J. Vieth; WisdomTree, Inc.
20251681	G	Mason Wells Buyout Fund V, LP; John P. Morelock, Jr.; Mason Wells Buyout Fund V, LP.
20251684	G	Bajaj Auto Ltd.; Dipl. Ing. Stefan Pierer; Bajaj Auto Ltd.
20251691	G	Med Platform II S.L.P.; ZimVie Inc.; Med Platform II S.L.P.
20251703	G	CCP Strider LP; Y-mAbs Therapeutics, Inc.; CCP Strider LP.
20251720	G	Steel Dynamics, Inc.; Richard E. Fant; Steel Dynamics, Inc.

FOR FURTHER INFORMATION CONTACT: Theresa Kingsberry (phone: 202–326–3100), Program Support Specialist, Federal Trade Commission, Bureau of Competition, Premerger Notification Office, Room CC–5301, Washington, DC 20024.

By direction of the Commission.

April J. Tabor,

Secretary.

[FR Doc. 2025–17535 Filed 9–10–25; 8:45 am]

BILLING CODE 6750–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2025–D–0610]

Development of Non-Opioid Analgesics for Chronic Pain, Draft Guidance for Industry; Availability

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice of availability.

SUMMARY: The Food and Drug Administration (FDA or Agency) is announcing the availability of a draft guidance for industry entitled ''Development of Non-Opioid Analgesics for Chronic Pain.'' This guidance is intended to assist sponsors in the development of non-opioid analgesics for the treatment of chronic pain. It describes FDA's current recommendations regarding phase 3 trials for prescription non-opioid analgesic products being developed to treat chronic pain. This guidance also responds to the statutory requirements of the Substance Use-Disorder Prevention that Promotes Opioid Recovery and Treatment for Patients and Communities (SUPPORT) Act, which directs FDA to issue or update existing guidance to help address challenges to developing non-opioid medical products to treat pain.

DATES: Submit either electronic or written comments on the draft guidance by November 10, 2025 to ensure that the Agency considers your comment on this draft guidance before it begins work on the final version of the guidance.

ADDRESSES: You may submit comments on any guidance at any time as follows:

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–2025–D–0610 for ''Development of Non-Opioid Analgesics for Chronic Pain.'' Received comments 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.

You may submit comments on any guidance at any time (see 21 CFR 10.115(g)(5)).

Submit written requests for single copies of this guidance to the Division of Drug Information, Center for Drug Evaluation and Research, Food and Drug Administration, 10001 New Hampshire Ave., Hillandale Building, 4th Floor, Silver Spring, MD 20993–0002. Send one self-addressed adhesive label to assist that office in processing your requests. See the **SUPPLEMENTARY INFORMATION** section for electronic access to the draft guidance document.

FOR FURTHER INFORMATION CONTACT: Matthew Sullivan, Center for Drug Evaluation and Research, Food and Drug Administration, 10903 New Hampshire Ave., Silver Spring, MD 20993, 301–796–1245.

SUPPLEMENTARY INFORMATION:

I. Background

FDA is announcing the availability of a draft guidance for industry entitled ''Development of Non-Opioid Analgesics for Chronic Pain.'' This guidance is intended to assist sponsors in the development of non-opioid analgesics for the treatment of chronic pain. It describes FDA's current recommendations regarding phase 3 trials for prescription non-opioid analgesic products being developed to treat chronic pain. This guidance also responds to the statutory requirements of section 3001(b) of the SUPPORT Act (Pub. L. 115–271), which directs FDA to issue or update existing guidance to help address challenges to developing non-opioid medical products to treat pain.

This guidance does not address the development of drugs for the treatment of acute pain, which is the subject of a separate guidance;[1] local anesthetic drug products with prolonged duration of effect, which is also the subject of a

[1] See the draft guidance for industry ''Development of Non-Opioid Analgesics for Acute Pain,'' available at *https://www.fda.gov/media/156063/download.*

separate guidance; [2] or opioid or opioid-containing analgesic products.

This draft guidance is being issued consistent with FDA's good guidance practices regulation (21 CFR 10.115). The draft guidance, when finalized, will represent the current thinking of FDA on ''Development of Non-Opioid Analgesics for Chronic Pain.'' It does not establish any rights for any person and is not binding on FDA or the public. You can use an alternative approach if it satisfies the requirements of the applicable statutes and regulations. As we develop any final guidance on this topic, FDA will consider comments on the applicability of Executive Order 14192, per OMB guidance M–25–20, and in particular, on any costs or cost savings.

II. Supplementary Information on Comment Submissions

In addition to the instructions on submitting electronic or written comments provided above, FDA is providing suggestions for organizing comments to help facilitate FDA's review and analysis.

It is helpful to distinguish comments that are general in nature from comments that pertain to a specific section or specific text in the guidance. Note that each line of text in the guidance is numbered. If your comments pertain to a particular section or line number of the guidance, please include the section and/or line number(s) with your comment. Following is an example format that could be used to organize comments. Note that use of this format is optional.

The following is an example comment format (with example text and instructions *italicized*):

1. General Comments
[Include general comment]
[Include general comment]
2. Specific Comments on Text

Document section	Line No.	Comment
I. Introduction	*Lines 27–30*	*[Include comment, rationale, and proposed changes (if any)].*
I. Introduction	*Lines 39–42*	*[Include comment, rationale, and proposed changes (if any)].*
II. Background	*Line 80*	*[Include comment, rationale, and proposed changes (if any)].*

III. Paperwork Reduction Act of 1995

While this guidance contains no collection of information, it does refer to previously approved FDA collections of information. The previously approved 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 parts 50 and 56 for protection of human subjects and institutional review boards have been approved under OMB control number 0910–0130. The collections of information in 21 CFR 58 for good laboratory practice have been approved under OMB control number 0910–0119. The collections of information in 21 CFR 210 and 211 for current good manufacturing practice have been approved under OMB control number 0910–0139. The collections of information in 21 CFR part 312 for investigational new drug applications, conducting clinical trials, good clinical practice, and collecting data for such trials have been approved under OMB control number 0910–0014. The collections of information in 21 CFR part 314 for new drug applications and abbreviated new drug applications trials have been approved under OMB control number 0910–0001. The collections of information in 21 CFR 201.56 and 201.57 regarding content and format requirements for labeling for human prescription drug and biological products have been approved under OMB control number 0910–0572. The collections of information in 21 CFR parts 601 and 610 for biologics license applications have been approved under OMB control number 0910–0338. The collections of information in 21 CFR part 11 regarding electronic records and signatures have been approved under OMB control number 0910–0303. The collections of information for expedited pathways for development programs of drugs and biologics for serious conditions have been approved under OMB control number 0910–0765.

IV. Electronic Access

Persons with access to the internet may obtain the guidance at *https://www.fda.gov/drugs/guidance-compliance-regulatory-information/guidances-drugs, https://www.fda.gov/regulatory-information/search-fda-guidance-documents,* or *https://www.regulations.gov.*

Grace R. Graham,

Deputy Commissioner for Policy, Legislation, and International Affairs.

[FR Doc. 2025–17442 Filed 9–10–25; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Health Resources and Services Administration

National Vaccine Injury Compensation Program; List of Petitions Received

AGENCY: Health Resources and Services Administration (HRSA), Department of Health and Human Services (HHS).

ACTION: Notice.

SUMMARY: HRSA is publishing this notice of petitions received under the National Vaccine Injury Compensation Program (the Program), as required by the Public Health Service (PHS) Act, as amended. While the Secretary of HHS is named as the respondent in all proceedings brought by the filing of petitions for compensation under the Program, the United States Court of Federal Claims is charged by statute with responsibility for considering and acting upon the petitions.

FOR FURTHER INFORMATION CONTACT: For information about requirements for filing petitions, and the Program in general, contact Lisa L. Reyes, Clerk of Court, United States Court of Federal Claims, 717 Madison Place NW, Washington, DC 20005, (202) 357–6400. For information on HRSA's role in the Program, contact the Director, Division of Injury Compensation Programs, 5600 Fishers Lane, Room 14W–18, Rockville, Maryland 20857; 1–800–338–2382, or visit our website at: *https://www.hrsa.gov/vaccine-compensation.*

SUPPLEMENTARY INFORMATION: The Program provides a system of no-fault compensation for certain individuals who have been injured by specific vaccines. Subtitle 2 of Title XXI of the PHS Act, 42 U.S.C. 300aa–10 *et seq.,* provides that those seeking compensation are to file a petition with the United States Court of Federal Claims and to serve a copy of the petition to the Secretary of HHS, who is named as the respondent in each

[2] See the draft guidance for industry ''Development of Local Anesthetic Drug Products With Prolonged Duration of Effect,'' available at *https://www.fda.gov/media/166210/download.*

proceeding. The Secretary has delegated this responsibility under the Program to HRSA. The Court is directed by statute to appoint special masters who take evidence, conduct hearings as appropriate, and make initial decisions as to eligibility for, and amount of, compensation.

A petition may be filed with respect to injuries, disabilities, illnesses, conditions, and deaths resulting from vaccines described in the Vaccine Injury Table (the Table) set forth at 42 CFR 100.3. This Table lists for each covered vaccine the conditions that may lead to compensation and, for each condition, the time period for occurrence of the first symptom or manifestation of onset or of significant aggravation after vaccine administration. Compensation may also be awarded for conditions not listed in the Table and for conditions that are manifested outside the time periods specified in the Table, but only if the petitioner shows that the condition was caused by one of the listed vaccines.

Section 2112(b)(2) of the PHS Act, 42 U.S.C. 300aa–12(b)(2), requires that ''[w]ithin 30 days after the Secretary receives service of any petition filed under section 2111 the Secretary shall publish notice of such petition in the **Federal Register**.'' Set forth below is a list of petitions received by HRSA on July 1, 2025, through July 31, 2025. This list provides the name of the petitioner, city, and state of vaccination (if unknown then the city and state of the person or attorney filing the claim), and case number. In cases where the Court has redacted the name of a petitioner and/or the case number, the list reflects such redaction.

Section 2112(b)(2) also provides that the special master ''shall afford all interested persons an opportunity to submit relevant, written information'' relating to the following:

1. The existence of evidence ''that there is not a preponderance of the evidence that the illness, disability, injury, condition, or death described in the petition is due to factors unrelated to the administration of the vaccine described in the petition,'' and

2. Any allegation in a petition that the petitioner either:

a. ''[S]ustained, or had significantly aggravated, any illness, disability, injury, or condition not set forth in the Vaccine Injury Table but which was caused by'' one of the vaccines referred to in the Table, or

b. ''[S]ustained, or had significantly aggravated, any illness, disability, injury, or condition set forth in the Vaccine Injury Table the first symptom or manifestation of the onset or significant aggravation of which did not occur within the time period set forth in the Table but which was caused by a vaccine'' referred to in the Table.

In accordance with Section 2112(b)(2), all interested persons may submit written information relevant to the issues described above in the case of the petitions listed below. Any person choosing to do so should file an original and three (3) copies of the information with the Clerk of the United States Court of Federal Claims at the address listed above (under the heading ''For Further Information Contact''), with a copy to HRSA addressed to Director, Division of Injury Compensation Programs, Health Systems Bureau, 5600 Fishers Lane, 14W–18, Rockville, Maryland 20857. The Court's caption (*Petitioner's Name* v. *Secretary of HHS*) and the docket number assigned to the petition should be used as the caption for the written submission. Chapter 35 of Title 44, United States Code, related to paperwork reduction, does not apply to information required for purposes of carrying out the Program.

Thomas J. Engels,

Administrator.

List of Petitions Filed

1. Jermarro Dantzler, Black River Falls, Wisconsin, Court of Federal Claims No: 25–1107V
2. Lisa Thompson, Suwanee, Georgia, Court of Federal Claims No: 25–1113V
3. Jonathan David Wilke, Boscobel, Wisconsin, Court of Federal Claims No: 25–1116V
4. Rodolfo Alcantar on behalf of D.A., Phoenix, Arizona, Court of Federal Claims No: 25–1117V
5. Naureen Fayyaz, Woodrige, Illinois, Court of Federal Claims No: 25–1119V
6. Alfred Boland, Hot Springs Village, Arkansas, Court of Federal Claims No: 25–1122V
7. Caira Conner, Brooklyn, New York, Court of Federal Claims No: 25–1123V
8. Travis Williams, Boscobel, Wisconsin, Court of Federal Claims No: 25–1124V
9. Beverly Bell, Houston, Texas, Court of Federal Claims No: 25–1125V
10. Robert Fugate, Phoenix, Arizona, Court of Federal Claims No: 25–1127V
11. Nancy Vazquez Campoverde, New Haven, Connecticut, Court of Federal Claims No: 25–1133V
12. Sheva Ehrenfeld, Brooklyn, New York, Court of Federal Claims No: 25–1135V
13. Linda Gil, San Antonio, Texas, Court of Federal Claims No: 25–1136V
14. Ramata Balo, Philadelphia, Pennsylvania, Court of Federal Claims No: 25–1137V
15. Corene French and Jonathan de Vargas on behalf of R.D., Salem, Oregon, Court of Federal Claims No: 25–1138V
16. Diane Mkitarian, Beverly Hills, California, Court of Federal Claims No: 25–1139V
17. David T. Duncan, Salisbury, North Carolina, Court of Federal Claims No: 25–1141V
18. Larry L. Brown, Oshkosh, Wisconsin, Court of Federal Claims No: 25–1142V
19. Lilia Vallin, Las Vegas, Nevada, Court of Federal Claims No: 25–1143V
20. Brynn Henry, Lancaster, Pennsylvania, Court of Federal Claims No: 25–1144V
21. Diane Racho, Arlington, Texas, Court of Federal Claims No: 25–1147V
22. Leslie Garrett, New York, New York, Court of Federal Claims No: 25–1148V
23. Rosa Colombo on behalf of Francesco Colombo, Deceased, Phoenix, Arizona, Court of Federal Claims No: 25–1151V
24. William Schulte, Littleton, Colorado, Court of Federal Claims No: 25–1152V
25. Travis Kirwan, Washington, DC, Court of Federal Claims No: 25–1153V
26. Lamon Akagbor, Morrisville, North Carolina, Court of Federal Claims No: 25–1154V
27. Angelene M. Hampton, Winston Salem, North Carolina, Court of Federal Claims No: 25–1156V
28. Sharon Stefanoni, Aliso Viejo, California, Court of Federal Claims No: 25–1157V
29. Antonio Martinez, Albuquerque, New Mexico, Court of Federal Claims No: 25–1158V
30. Anastasia Caso on behalf of J.A.C., Encinatas, California, Court of Federal Claims No: 25–1159V
31. Dawn Stewart, Tampa, Florida, Court of Federal Claims No: 25–1160V
32. Jack Wingo III, Boscobel, Wisconsin, Court of Federal Claims No: 25–1161V
33. Tina Marie Vargas, Torrence, California, Court of Federal Claims No: 25–1163V
34. Willis J. Fittry Sr., Richmond, Virginia, Court of Federal Claims No: 25–1165V
35. Constance Gooding, Hamilton, Ohio, Court of Federal Claims No: 25–1169V
36. Mapleton, Illinois, Court of Federal Claims No: 25–1170V
37. Marilyn Biela on behalf of Alvin Biela, Deceased, San Antonio, Texas, Court of Federal Claims No: 25–1171V
38. David Harder, Witchita, Kansas, Court of Federal Claims No: 25–1172V
39. Jessica Byrd, Aurora, Colorado, Court of Federal Claims No: 25–1173V
40. Omethrice Johnson-Curtis, Homewood, Illinois, Court of Federal Claims No: 25–1174V
41. Mason Cowart, Stockbridge, Georgia, Court of Federal Claims No: 25–1175V
42. John Idzikowski, Milwaukee, Wisconsin, Court of Federal Claims No: 25–1176V
43. Marie Temple, Corunna, Michigan, Court of Federal Claims No: 25–1178V
44. Tamara J. Elhardt, Charlotte, North Carolina, Court of Federal Claims No: 25–1180V
45. Maddison Blair Addington Ayala, Lakewood, California, Court of Federal Claims No: 25–1181V
46. Rose Martin, Portland, Oregon, Court of Federal Claims No: 25–1183V
47. Ralph McKellar, Brentwood, Tennessee, Court of Federal Claims No: 25–1184V
48. Buffy Pellerito, Newburgh, Indiana, Court of Federal Claims No: 25–1185V
49. Ronald Hawkins, Manning, South Carolina, Court of Federal Claims No: 25–1186V

50. Sarah Hughart, Buckley, West Virginia, Court of Federal Claims No: 25–1187V
51. Karen Goodman, Mount Vernon, Washington, Court of Federal Claims No: 25–1188V
52. James Glasco, Burton, Michigan, Court of Federal Claims No: 25–1190V
53. Linda Sundquist, Richmond, Virginia, Court of Federal Claims No: 25–1192V
54. Ivette Nieves, Trumbull, Connecticut, Court of Federal Claims No: 25–1194V
55. Thomas Bond, Edinburgh, Indiana, Court of Federal Claims No: 25–1196V
56. Pamela Parker, La Crosse, Wisconsin, Court of Federal Claims No: 25–1199V
57. Vicki Buttrum on behalf of S.B., Morton, Illinois, Court of Federal Claims No: 25–1200V
58. Linda Roark on behalf of B.T., Los Angeles, California, Court of Federal Claims No: 25–1201V
59. Raquel Lugo, Middleton, Connecticut, Court of Federal Claims No: 25–1202V
60. Jacob Palmer on behald of A.P., Harrisbugh, Illinois, Court of Federal Claims No: 25–1205V
61. Leeann Fitzgerald, Wichita, Kansas, Court of Federal Claims No: 25–1206V
62. Rebecca Kleven, Oshkosh, Wisconsin, Court of Federal Claims No: 25–1207V
63. Donna Mayer, Boston, Massachusetts, Court of Federal Claims No: 25–1208V
64. Glenda Evans, Greenville, North Carolina, Court of Federal Claims No: 25–1210V
65. Tamara Tanninen, Richland, Washington, Court of Federal Claims No: 25–1213V
66. Meadria Mcintyre, Grove Hill, Alabama, Court of Federal Claims No: 25–1214V
67. Crystal Campbell, Bossier City, Louisiana, Court of Federal Claims No: 25–1216V
68. Nigel Jackson, Springfield, Virginia, Court of Federal Claims No: 25–1217V
69. Eric Chavis, Halethorpe, Maryland, Court of Federal Claims No: 25–1220V
70. Lindsay Schofield, Erie, Pennsylvania, Court of Federal Claims No: 25–1221V
71. Betty Sanfratello, Seattle, Washington, Court of Federal Claims No: 25–1222V
72. Ellie Grabow, Maple Grove, Minnesota, Court of Federal Claims No: 25–1224V
73. Selena Rice, Charleston, West Virginia, Court of Federal Claims No: 25–1228V
74. John Alexander, Woodrige, Illinois, Court of Federal Claims No: 25–1230V
75. Charles Fontana, Woodrige, Illinois, Court of Federal Claims No: 25–1231V
76. Kim Dunn on behalf of the estate of Otto Schwab, Deceased, Indianapolis, Indiana, Court of Federal Claims No: 25–1233V
77. Christopher Jackson, Sturtevant, Wisconsin, Court of Federal Claims No: 25–1237V
78. Patricia Ramsey, Kingman, Arizona, Court of Federal Claims No: 25–1239V
79. Brenda Cosby, Richmond, Virginia, Court of Federal Claims No: 25–1242V
80. Brooklyn Laverne Zen, Towson, Maryland, Court of Federal Claims No: 25–1243V
81. Peggy Hill, Jackson, Michigan, Court of Federal Claims No: 25–1244V
82. Cherisse Weekly, Woodstock, Georgia, Court of Federal Claims No: 25–1246V
83. Tyson Hayes, Overland Park, Kansas, Court of Federal Claims No: 25–1247V
84. David Sjurson, Hartford, Wisconsin, Court of Federal Claims No: 25–1248V
85. Maria Rodriguez, San Antonio, Texas, Court of Federal Claims No: 25–1250V
86. Yamzey Gonzalez, North Port, Florida, Court of Federal Claims No: 25–1251V
87. Stacey Vore, Washington, DC, Court of Federal Claims No: 25–1254V
88. Sylvia Caravetta, Delray Beach, Florida, Court of Federal Claims No: 25–1255V
89. Essie Anderson, New York, New York, Court of Federal Claims No: 25–1257V
90. Virginia Commander, Englewood, New Jersey, Court of Federal Claims No: 25–1258V
91. Isaiah N. Triggs, Milwaukee, Wisconsin, Court of Federal Claims No: 25–1259V
92. Teresa Bellanger, Washington, DC, Court of Federal Claims No: 25–1260V
93. Kathy Veazey, Oklahoma City, Oklahoma, Court of Federal Claims No: 25–1261V

[FR Doc. 2025–17530 Filed 9–10–25; 8:45 am]

BILLING CODE 4165–15–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

[Docket No. OS–0945–New–60D]

Agency Information Collection Request; 60-Day Public Comment Request

AGENCY: Office of the Secretary, HHS.

ACTION: Notice.

SUMMARY: In compliance with the requirement of the Paperwork Reduction Act of 1995, the Office of the Secretary (OS), Department of Health and Human Services, is publishing the following summary of a proposed collection for public comment.

DATES: Comments on the Information Collection Request (ICR) must be received on or before November 10, 2025.

ADDRESSES: Submit your comments to Conner O'Brien at *OCRPrivacy@hhs.gov.*

FOR FURTHER INFORMATION CONTACT: When submitting comments or requesting information, such as a free copy of the form to be used for the information collection, please include the document identifier OS–0945–New–60D and project title for reference, to Conner O'Brien, email: *OCRPrivacy@hhs.gov,* or call (202) 240–3110.

SUPPLEMENTARY INFORMATION: Interested persons are invited to send comments regarding this burden estimate or any other aspect of this collection of information, including any of the following subjects: (1) The necessity and utility of the proposed information collection for the proper performance of the agency's functions; (2) the accuracy of the estimated burden; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) the use of automated collection techniques or other forms of information technology to minimize the information collection burden.

Title of the Collection: Confidentiality of Substance Use Disorder Patient Records Complaint.

Type of Collection: New Collection.

OMB No. 0945–New: Office for Civil Rights (OCR)—Health Information Privacy, Data, and Cybersecurity Division.

Abstract: OCR is requesting Office of Management and Budget (OMB) approval for a new information collection. Under OCR's delegated civil enforcement authority, a person may file a complaint with OCR for alleged noncompliance with 42 CFR part 2 (''Part 2''). OCR will collect information from individuals using the form, Confidentiality of Substance Use Disorder Patient Records Complaint, to allow OCR to collect the minimum information needed from individuals who file complaints with OCR to form the basis for the initial processing of such complaints to satisfy the right for an individual to file a complaint under 42 CFR 2.4(b).

I. Authority

OCR has delegated civil enforcement authority under 42 U.S.C. 290dd–2(f), as amended by section 3221 of the Coronavirus Relief, Aid, and Economic Security Act, that applies section 1176 of the Social Security Act (''the Act''), 45 U.S.C. 1320d–5, to a violation of Part 2 in the same manner as it applies to a violation of part C of title XI of the Act, Administrative Simplification. The Administrative Simplification provisions were added to the Act by the Health Insurance Portability and Accountability Act of 1996 (HIPAA). OCR currently applies its HIPAA enforcement authority under section 1176 of the Act in accordance with 45 CFR part 160. To implement 42 U.S.C. 290dd–2, the Department published a final rule modifying Part 2, 89 FR 12472 (February 16, 2024) (''2024 Part 2 Final Rule''), that included, among other provisions, a new right to file complaints of noncompliance and applied 45 CFR part 160, subparts C, D, and E, as the enforcement regulation for Part 2.

II. Method of Collection

Individuals will be able to submit a Part 2 complaint using the HHS OCR online complaint portal or by filling out a copy of the form obtained from OCR's website and submitting it to OCR electronically or by postal mail.

III. Estimated Burden

The estimated burden on individuals for gathering information and completing the Part 2 complaint form is 45 minutes per complaint based on the hourly burden for HIPAA complaints. Assuming that 1 in every 1,000 patients treated for SUD would file a Part 2 complaint, the Department estimates a total of 1,398 burden hours for 1,864 complaints annually (1,864,367 patients/1,000 × .75 hours = 1,398).

Likely Respondents: Patients of substance use disorder treatment programs who believe that a Part 2 program, covered entity, business associate, qualified service organization, or other lawful holder of Part 2 records is noncompliant with 42 CFR part 2.

ANNUALIZED BURDEN HOUR TABLE

Forms (if necessary)	Respondents (if necessary)	Number of respondents	Number of responses per respondents	Average burden per response (minutes)	Total burden hours
Complaint Form	Patients of Substance Use Disorder Treatment Programs.	1,864	1	45	1,398
Total		1,864			1,398

Catherine Howard,

Paperwork Reduction Act Reports Clearance Officer, Department of Health and Human Services, Office of the Secretary.

[FR Doc. 2025–17557 Filed 9–10–25; 8:45 am]

BILLING CODE 4153–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Center for Scientific Review; Notice of Closed Meetings

Pursuant to section 1009 of the Federal Advisory Committee Act, as amended, notice is hereby given of the following meetings.

The meetings will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: Population Sciences and Epidemiology Integrated Review Group; Cardiovascular and Respiratory Diseases Study Section.

Date: October 9–10, 2025.

Time: 9:30 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Raquel L. Velazquez-Kronen, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Dr., Bethesda, MD 20892, (513) 301–9047, *velazquezrl@csr.nih.gov*.

Name of Committee: Cardiovascular and Respiratory Sciences Integrated Review Group; Therapeutic Development and Preclinical Studies Study Section.

Date: October 15–16, 2025.

Time: 9:00 a.m. to 7:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Richard D. Schneiderman, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4138, Bethesda, MD 20817, 301–402–3995, *richard.schneiderman@nih.gov*.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Infectious Disease Drug Development and Molecular Pharmacology.

Date: October 15–16, 2025.

Time: 10:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Ekaterina Mikhailovna Nestorovich, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (301) 827–1367, *ekaterina.nestorovich@nih.gov*.

Name of Committee: Biobehavioral and Behavioral Processes Integrated Review Group; Biobehavioral Regulation, Learning and Ethology Study Section.

Date: October 20–21, 2025.

Time: 9:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Sara Louise Hargrave, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institute of Health, 6701 Rockledge Drive, Room 3170, Bethesda, MD 20892, (301) 443–7193, *hargravesl@mail.nih.gov*.

Name of Committee: Infectious Diseases and Immunology B Integrated Review Group; Immune Mechanisms of Hypersensitivity and Allergy Study Section.

Date: October 20–21, 2025.

Time: 9:00 a.m. to 7:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Deanna C. Bublitz, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (301) 594–4005, *deanna.bublitz@nih.gov*.

Name of Committee: Genes, Genomes, and Genetics Integrated Review Group; Prokaryotic Cell and Molecular Biology Study Section.

Date: October 21–22, 2025.

Time: 9:00 a.m. to 7:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Rebecca Catherine Burgess, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (301) 480–8034, *rebecca.burgess@nih.gov*.

Name of Committee: Infectious Diseases and Immunology B Integrated Review Group; Immunobiology of Transplantation and Alloimmunity Study Section.

Date: October 22–23, 2025.

Time: 10:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Anthony D. Foster, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (301) 496–3297, *anthony.foster@nih.gov*.

Name of Committee: Oncology 2—Translational Clinical Integrated Review Group; Cellular Immunotherapy of Cancer Study Section.

Date: October 23–24, 2025.

Time: 9:00 a.m. to 6:30 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Shahana Majid, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (301) 867–5309, *shahana.majid@nih.gov*.

Name of Committee: Center for Scientific Review Special Emphasis Panel; PAR Panel: R03 and R15 Musculoskeletal, Skin, Oral and Dental Sciences.

Date: October 23–24, 2025.

Time: 9:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Yun Mei, MD, Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, 301–827–4639, *yun.mei@nih.gov*.

Name of Committee: Surgical Sciences, Biomedical Imaging and Bioengineering Integrated Review Group; Imaging Technology Development Study Section.

Date: October 23–24, 2025.

Time: 9:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Guo Feng Xu, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5122, MSC 7854, Bethesda, MD 20892, (301) 237–9870, *xuguofen@csr.nih.gov*.

Name of Committee: Applied Immunology and Disease Control Integrated Review Group; Transmission of Vector-Borne and Zoonotic Diseases Study Section.

Date: October 23–24, 2025.

Time: 10:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Haruhiko Murata, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (301) 594–3245, *muratah@csr.nih.gov*.

Name of Committee: Endocrinology, Metabolism, Nutrition and Reproductive Sciences Integrated Review Group; Cell Signaling and Molecular Endocrinology Study Section.

Date: October 23–24, 2025.

Time: 10:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Address: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892.

Meeting Format: Virtual Meeting.

Contact Person: Andrew M. Wolfe, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Dr., Room 6214, Bethesda, MD 20892, (301) 402–3019, *andrew.wolfe@nih.gov*.

(Catalogue of Federal Domestic Assistance Program Nos. 93.306, Comparative Medicine; 93.333, Clinical Research, 93.306, 93.333, 93.337, 93.393–93.396, 93.837–93.844, 93.846–93.878, 93.892, 93.893, National Institutes of Health, HHS)

Dated: September 8, 2025.

Sterlyn H. Gibson,

Program Specialist, Office of Federal Advisory Committee Policy.

[FR Doc. 2025–17435 Filed 9–10–25; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Heart, Lung, and Blood Institute; Notice of Meeting

Pursuant to section 1009 of the Federal Advisory Committee Act, as amended, notice is hereby given of a meeting of the National Heart, Lung, and Blood Advisory Council.

The meeting will be open to the public, with attendance limited to space available. Individuals who plan to attend and need special assistance, such as sign language interpretation or other reasonable accommodations, should notify the Contact Person listed below in advance of the meeting. The open session will be videocast and can be accessed from the NIH Videocasting and Podcasting website at *https://www.nhlbi.nih.gov/about/advisory-and-peer-review-committees/advisory-council.*

The meeting will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Heart, Lung, and Blood Advisory Council.

Date: October 29, 2025.

Closed: 8:00 a.m. to 8:30 a.m.

Agenda: To Review and Evaluate Grant Applications.

Address: National Institutes of Health, Claude D. Pepper Building, 31 Center Drive, Bethesda, MD 20894.

Meeting Format: In-Person.

Open: 8:30 a.m. to 5:00 p.m.

Agenda: To Discuss Program Policies and Issues.

Address: National Institutes of Health, Claude D. Pepper Building, 31 Center Drive, Bethesda, MD 20894.

Meeting Format: In-Person.

Contact Person: Charisee Lamar, Ph.D., M.P.H., R.R.T., Director, Division of Extramural Research Activities, National Heart, Lung, and Blood Institute, National Institutes of Health, 6705 Rockledge Drive, Room 206–Q, Bethesda, MD 20892, 301–827–5517, *lamarc@mail.nih.gov*.

Registration is not required to attend the open portion of this meeting.

Any member of the public interested in presenting oral comments to the committee may notify the Contact Person listed on this notice at least 10 days in advance of the meeting. Interested individuals and representatives of an organization may submit a letter of intent, a brief description of the organization represented and a short description of the oral presentation. Only one representative of an organization may be allowed to present oral comments and presentations may be limited to five minutes. Both printed and electronic copies are requested for the record. In addition, any interested person may file written comments with the committee by forwarding the statement to the Contact Person listed on this notice. The statement should include the name, address, telephone number and when applicable, the business or professional affiliation of the interested person.

In the interest of security, NIH has procedures at *https://security.nih.gov/visitors/Pages/visitor-campus-access.aspx* for entrance into on-campus and off-campus facilities. All visitor vehicles, including taxicabs, hotel, and airport shuttles will be inspected before being allowed on campus. Visitors attending a meeting on campus or at an off-campus federal facility will be asked to show one form of identification (for example, a government-issued photo ID, driver's license, or passport) and to state the purpose of their visit.

Information is also available on the Institute's/Center's home page: *https://www.nhlbi.nih.gov/about/advisory-and-peer-review-committees/advisory-council,* where an agenda and any additional information for the meeting will be posted when available.

(Catalogue of Federal Domestic Assistance Program Nos. 93.233, National Center for Sleep Disorders Research; 93.837, Heart and Vascular Diseases Research; 93.838, Lung Diseases Research; 93.839, Blood Diseases and Resources Research, National Institutes of Health, HHS)

Dated: September 9, 2025.

Denise M. Santeufemio,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2025–17538 Filed 9–10–25; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HOMELAND SECURITY

Fiscal Year 2025 Senior Executive Service Performance Review Boards

AGENCY: Department of Homeland Security.

ACTION: Notice.

SUMMARY: This notice announces the appointment of members of the Fiscal Year (FY) 2025 Senior Executive Service (SES) Performance Review Boards (PRBs) for the Department of Homeland Security (DHS). The purpose of the PRBs is to make recommendations to the appointing authority (*i.e.,* Agency Head) on the performance of senior executives (career, noncareer, and limited appointees), including recommendations on performance ratings, performance-based pay adjustments, and performance awards. The PRBs will also make recommendations on the performance of Transportation Security Executive Service, Senior-Level, and Scientific and Professional employees. To make its recommendations, the PRBs will review performance appraisals, initial summary ratings, any response by the employee, and any higher-level official's recommendation.

DATES: This notice is applicable as of September 11, 2025.

FOR FURTHER INFORMATION CONTACT: Christian Fajardo, Human Resources Specialist, Office of the Chief Human Capital Officer, *christian.fajardo@hq.dhs.gov,* 771–200–0392.

SUPPLEMENTARY INFORMATION: In accordance with 5 U.S.C. 4314(c) and 5 CFR 430.311, each agency must establish one or more PRBs to make recommendations to the appointing authority (*i.e.,* Agency Head) on the performance of its senior executives. Each PRB must consist of three or more members. More than one-half of the membership of a PRB must be SES career appointees when reviewing appraisals and recommending performance-based pay adjustments or performance awards for career appointees. Composition of the PRBs will be determined from among the individuals listed below:

List of Names (Alphabetical Order)

Alfonso-Royals, Angelica
Edgar, Troy
Edwards, Roland
Gountanis, John
Hemenway, Troup
Huffman, Benjamine
Mazzara, Joseph
McCord, Antoine
McGill, Greyson
Mehringer, Holly
Navarro, Mischell
Noem, Kristi
Paramore, Faron
Percival, James
Rubino, Jaclyn
Sartini, Ronald
Stackhouse, Paul
Swartz, Neal
Watkins, Tracey

Gregory Ruocco,

Director, Executive Resources, Office of the Chief Human Capital Officer.

[FR Doc. 2025–17565 Filed 9–10–25; 8:45 am]

BILLING CODE 9112–FC–P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR- 6548–N–02]

Credit Watch Termination Initiative; Termination of Direct Endorsement (DE) Approval

AGENCY: Office of the Assistant Secretary for Housing—Federal Housing Commissioner, Department of Housing and Urban Development (HUD).

ACTION: Notice.

SUMMARY: This notice advises of the cause and effect of termination of Direct Endorsement (DE) approval taken by HUD's Federal Housing Administration (FHA) against HUD-approved mortgagees through the FHA Credit Watch Termination Initiative. This notice includes a list of mortgagees that have had their DE Approval terminated.

FOR FURTHER INFORMATION CONTACT: John Higgins, Director, Quality Assurance Division, Office of Housing, Department of Housing and Urban Development, 451 Seventh Street SW, Washington, DC 20410–8000; telephone (202) 402–6730 (this is not a toll-free number). HUD welcomes and is prepared to receive calls from individuals who are deaf or hard of hearing, as well as individuals with speech or communication disabilities. To learn more about how to make an accessible telephone call, please visit *https://www.fcc.gov/consumers/guides/telecommunications-relay-service-trs.*

SUPPLEMENTARY INFORMATION: HUD has the authority to address deficiencies in the performance of lenders' loans as provided in HUD's mortgagee approval regulations at 24 CFR 202.3. On May 17, 1999, HUD published a notice (64 FR 26769) on its procedures for terminating Origination Approval Agreements with FHA lenders and placement of FHA lenders on Credit Watch status (an evaluation period). In the notice, HUD advised that it would publish in the **Federal Register** a list of mortgagees that have had their Approval Agreements terminated. HUD Handbook 4000.1 section V.E.3.a.iii outlines current procedures for terminating Underwriting Authority of Direct Endorsement mortgagees.

Termination of Direct Endorsement Approval: HUD approval of a DE mortgagee authorizes the mortgagee to underwrite single family mortgage loans and submit them to FHA for insurance endorsement. The approval may be terminated on the basis of poor performance of FHA-insured mortgage loans underwritten by the mortgagee. The termination of a mortgagee's DE Approval is separate and apart from any action taken by HUD's Mortgagee Review Board under HUD regulations at 24 CFR part 25.

Cause: HUD regulations and policy permit HUD to terminate the DE Approval of any mortgagee having a default and claim rate for loans endorsed within the preceding 24 months that exceeds 200 percent of the default and claim rate within the geographic area served by a HUD field office, and that exceeds the national default and claim rate for insured mortgages.

Effect: Termination of DE Approval precludes the mortgagee from underwriting FHA-insured single-family mortgages within the HUD field office jurisdiction(s) listed in this notice. Mortgagees authorized to hold or service FHA-insured mortgages may continue to do so.

Loans that closed or were approved before the termination became effective may be submitted for insurance endorsement. Approved loans are those already underwritten and approved by a DE underwriter and cases covered by a firm commitment issued by HUD. Cases at earlier stages of processing cannot be submitted for insurance by the terminated mortgagee; however, the cases may be transferred for completion of processing and underwriting to another mortgagee with DE Approval in that geographic area. Mortgagees must continue to pay existing insurance premiums and meet all other obligations associated with insured mortgages.

A terminated mortgagee may apply for reinstatement if their DE Approval in the affected area or areas has been

terminated for at least six months and the mortgagee continues to be an approved mortgagee meeting the requirements of 24 CFR 202.5, 202.6, 202.7, 202.10 and 202.12. The mortgagee's application for reinstatement must be in a format prescribed by the Secretary and signed by the mortgagee. In addition, the application must be accompanied by an independent analysis of the terminated office's operations as well as its mortgage production, specifically including the FHA-insured mortgages cited in its termination notice. This independent analysis shall identify the underlying cause for the mortgagee's high default and claim rate. The analysis must be prepared by an independent Certified Public Accountant (CPA) qualified to perform audits under Government Auditing Standards as provided by the Government Accountability Office. The mortgagee must also submit a written corrective action plan to address each of the issues identified in the CPA's report, along with evidence that the plan has been implemented. The application for reinstatement must be submitted through the Lender Electronic Assessment Portal (LEAP). The application must be accompanied by the CPA's report and the corrective action plan.

Action: The following mortgagees have had their DE Approval terminated by HUD:

Mortgagee name	Mortgagee home office address	HUD office jurisdictions	Termination effective date	Homeownership centers
Equity Prime Mortgage LLC ...	5 Concourse Pkwy., Ste. 2250, Atlanta, GA 30328–7121.	New York, Jacksonville, Orlando, Louisville.	8/22/2025	Atlanta, Philadelphia.

Vance T. Morris,

Associate General Deputy Assistant Secretary for Housing.

[FR Doc. 2025–17523 Filed 9–10–25; 8:45 am]

BILLING CODE 4210–67–P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR–6568–N–01]

Notice of HUD-Held Healthcare Loan Sale (HLS 2026–1)

AGENCY: Office of the Assistant Secretary for Housing—Federal Housing Commissioner, U.S. Department of Housing and Urban Development (HUD).

ACTION: Notice of sale of eight (8) healthcare mortgage loans secured by 8 properties.

SUMMARY: HUD is announcing the competitive, sealed bid sale of eight unsubsidized healthcare mortgage loans, without Federal Housing Administration (FHA) insurance. This sale, referred to as HLS 2026–1, is scheduled to occur on or about October 22, 2025. This notice also describes generally the bidding process for the sale and certain persons who are ineligible to bid.

DATES:

Bidder's Information Package (BIP) Available: On or about September 23, 2025.

Bid Date: October 22, 2025 (bids must be submitted during specified hours).

Anticipated Award Date: On or before October 27, 2025.

Closing Date: November 13, 2025.

ADDRESSES: Prospective bidders must complete, sign, and submit a Confidentiality Agreement and a Qualification Statement that meet HUD's requirements. These documents will be accessible via Mission Capital Advisors' bidding platform at *market.missioncap.com,* where participants can also register and submit all required documentation electronically. Questions about the bidder qualification process may be sent to: Transaction Specialist at 1–844–709–0763 or email *HUDSales@FalconAssetSales.com.*

FOR FURTHER INFORMATION CONTACT: John Lucey, Director, Office of Asset Sales, U.S. Department of Housing and Urban Development, 451 Seventh Street SW, Washington, DC 20410–8000; telephone 202–708–2625, extension 3927 (this is not a toll-free number), or at *john.w.lucey@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 or communication disabilities. To learn more about how to make an accessible telephone call, please visit *https://www.fcc.gov/consumers/guides/telecommunications-relay-service-trs.*

SUPPLEMENTARY INFORMATION: HUD is announcing its intention to sell eight (8) unsubsidized, non-performing healthcare mortgage loans (the ''Mortgage Loans'') in Loan Sale HLS 2026–1. The offering includes eight (8) first-lien mortgage notes, secured by skilled nursing and assisted living facilities located across Missouri, Connecticut, Maine, Minnesota, and Illinois. The Mortgage Loans will be sold without FHA insurance and with HUD servicing released. Qualified bidders will have the opportunity to submit competitive, sealed bids for the Mortgage Loans. For bidding purposes, HUD will stratify the loans into pools, grouping them by characteristics such as loan performance, property type, geographic location, and lien position. Pools may contain single or multiple loans. Bidders may submit offers on one or more pools.

Bidder Eligibility

Eligibility requirements are detailed in the Qualification Statement, which outlines HUD's restrictions on bidding based on prior involvement with the Mortgage Loans. Certain entities or individuals may be ineligible to participate.

The full loan listing and additional sale details are included in the Bidder's Information Package (BIP), available to qualified bidders upon submission of an acceptable Confidentiality Agreement and Qualification Statement via *market.missioncap.com.*

Bidding Process

The BIP provides detailed instructions on bidding procedures for HLS 2026–1. It will also include a standardized, non-negotiable Loan Sale Agreement that governs the terms of the sale. For access to the BIP and to register for the sale, qualified bidders must submit an executed Confidentiality Agreement and a completed Qualification Statement via Mission Capital Advisors' platform: *market.missioncap.com.*

As part of its bid, each bidder must submit a minimum deposit of the greater of One Hundred Thousand Dollars ($100,000) or ten percent (10%) of the aggregate bid prices for all of such bidder's bids. If a bidder's total bid is less than One Hundred Thousand Dollars ($100,000), the minimum deposit shall be not less than fifty percent (50%) of the bidder's aggregate

bid. HUD will evaluate all bids and select the successful bid(s) in its sole and absolute discretion. For any winning bidder, the bid deposit becomes non-refundable and will be credited toward the final purchase price. Any deposit amount exceeding the purchase price will be refunded. Deposits submitted by unsuccessful bidders will be returned after notification of the winning bid(s). Closings are expected to occur on November 13, 2025.

The Loan Sale Agreement, included in the BIP, sets forth additional terms and conditions of the sale. To maintain a fair and competitive auction process, neither the bidding procedures nor the Loan Sale Agreement are subject to negotiation.

Due Diligence Review

The BIP describes the due diligence process for reviewing loan files in HLS 2026–1. Qualified bidders will be able to access loan information electronically. Further information on performing a due diligence review of the Mortgage Loans is provided in the BIP.

Mortgage Loan Sale Policy

HUD reserves the right to add Mortgage Loans to or delete Mortgage Loans from HLS 2026–1 at any time prior to the award date. HUD also reserves the right to reject bids, in whole or in part, without prejudice against HUD's right to include the Mortgage Loans in a later sale. The Mortgage Loans will not be withdrawn after the award date except as is specifically provided for in the Loan Sale Agreement.

This is a sale of unsubsidized mortgage loans, pursuant to Section 204(a) of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act of 1997, (12 U.S.C. 1715z–11a(a)).

Mortgage Loan Sale Procedure

HUD selected a competitive auction as the method to sell the Mortgage Loans. This method of sale optimizes HUD's return on the sale of these Mortgage Loans, affords the greatest opportunity for all qualified bidders to bid on the Mortgage Loans, and provides the most efficient vehicle for HUD to dispose of the Mortgage Loans.

Bidder Eligibility

To bid in the sale, a prospective bidder must complete, execute, and submit both a Confidentiality Agreement and a Qualification Statement acceptable to HUD. The following individuals and entities are among those INELIGIBLE to bid on the Mortgage Loans being sold in HLS 2026–1:

1. A mortgagor or healthcare operator, including its principals, affiliates, family members, and assigns, with respect to one or more of the Mortgage Loans being offered in the Loan Sale, or an Active Shareholder (as such term is defined in the Qualification Statement);

2. With respect to any other HUD multifamily and/or healthcare mortgage loan not offered in the Loan Sale, any mortgagor or healthcare operator, including any Related Party (as such term is defined in the Qualification Statement) of either, that has failed to file financial statements or is otherwise in default under such mortgage loan or is in violation or noncompliance of any regulatory or business agreements with HUD and that fails to cure such default or violation by no later than October 1, 2025;

3. Any individual or entity that is debarred, suspended, or excluded from doing business with HUD pursuant to Title 2 of the Code of Federal Regulations, Part 2424;

4. Any contractor, subcontractor and/or consultant or advisor (including any agent, employee, partner, director, principal or affiliate of any of the foregoing) who performed services for, or on behalf of, HUD in connection with HLS 2026–1;

5. Any employee of HUD, a member of such employee's family, or an entity owned or controlled by any such employee or member of such an employee's family;

6. Any individual or entity that uses the services, directly or indirectly, of any person or entity ineligible under provisions (3) through (5) above to assist in preparing its bid on any Mortgage Loan;

7. An FHA-approved mortgagee, including any principals, affiliates, or assigns thereof, that has received FHA insurance benefits for one or more of the Mortgage Loans being offered in the Loan Sale;

8. An FHA-approved mortgagee and/or loan servicer, including any principals, affiliates, or assigns thereof, that originated one or more of the Mortgage Loans being offered in the Loan Sale if the Mortgage Loan defaulted within two years of origination and resulted in the payment of an FHA insurance claim;

9. Any affiliate, principal or employee of any person or entity that, within the two-year period prior to October 1, 2025, serviced any Mortgage Loan or performed other services for or on behalf of HUD in regard to any Mortgage Loan;

10. Any contractor or subcontractor working for or on behalf of HUD that had access to information concerning any Mortgage Loan or provided services to any person or entity which, within the two-year period prior to October 1, 2025, had access to information with respect to any Mortgage Loan; and/or

11. Any employee, officer, director or any other person that provides or will provide services to the prospective bidder with respect to the Mortgage Loans during any warranty period established for the Loan Sale, that serviced the Mortgage Loans or performed other services for or on behalf of HUD or within the two-year period prior to October 1, 2025, provided services to any person or entity which serviced, performed services or otherwise had access to information with respect to any Mortgage Loan for or on behalf of HUD.

Other entities/individuals not described herein may also be restricted from bidding on the Mortgage Loans, as fully detailed in the Qualification Statement.

The Qualification Statement provides further details pertaining to eligibility requirements. Prospective bidders should carefully review the Qualification Statement to determine whether they are eligible to submit bids on the Mortgage Loans in HLS 2026–1.

Freedom of Information Act Requests

HUD reserves the right, in its sole and absolute discretion, to disclose information regarding HLS 2026–1, including, but not limited to, the identity of any successful bidder and its bid price or bid percentage for the Mortgage Loans, upon the closing of the sale of the Mortgage Loans. Even if HUD elects not to publicly disclose any information relating to HLS 2026–1, HUD may be required to disclose information relating to HLS 2026–1 pursuant to the Freedom of Information Act and all regulations promulgated thereunder.

Scope of Notice

This notice applies to HLS 2026–1 and does not establish HUD's policy for the sale of other mortgage loans.

Frank Cassidy,

Principal Deputy Assistant Secretary for Housing.

[FR Doc. 2025–17438 Filed 9–10–25; 8:45 am]

BILLING CODE 4210–67–P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[Docket No. FWS–HQ–NWRS–2025–0023; FF09R23000–256–FXRS126109WH000; OMB Control Number 1018–0190]

Agency Information Collection Activities; U.S. Fish and Wildlife Service Bison Donations Request Program

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of information collection; request for comment.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, we, the U.S. Fish and Wildlife Service (Service), are proposing to renew a currently approved information collection without change.

DATES: Interested persons are invited to submit comments on or before November 10, 2025.

ADDRESSES: Send your comments on the information collection request (ICR) by one of the following methods (please reference OMB Control No. 1018–0190 in the subject line of your comment):

- *Internet (preferred): https://www.regulations.gov.* Follow the instructions for submitting comments on Docket No. FWS–HQ–NWRS–2025–0023.
- *U.S. mail:* Service Information Collection Clearance Officer, U.S. Fish and Wildlife Service, 5275 Leesburg Pike, MS: PRB (JAO/3W); Falls Church, VA 22041–3803.

FOR FURTHER INFORMATION CONTACT: Madonna L. Baucum, Service Information Collection Clearance Officer, by email at *Info_Coll@fws.gov,* or by telephone at (703) 358–2503. 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. You may also view the ICR at *https://www.reginfo.gov/public/do/PRAMain.*

SUPPLEMENTARY INFORMATION: In accordance with the Paperwork Reduction Act (PRA; 44 U.S.C. 3501 *et seq.*) and its implementing regulations at 5 CFR part 1320, all information collections require approval under the PRA. We may not conduct or sponsor, and you are not required to respond to, a collection of information unless it displays a currently valid Office of Management and Budget (OMB) control number.

As part of our continuing effort to reduce paperwork and respondent burdens, we are again inviting the public and other Federal agencies to comment on new, proposed, revised, and continuing collections of information. This helps us assess the impact of our information collection requirements and minimize the public's reporting burden. It also helps the public understand our information collection requirements and provide the requested data in the desired format.

We are especially interested in public comment addressing the following:

(1) Whether or not the collection of information is necessary for the proper performance of the functions of the agency, including whether or not the information will have practical utility;

(2) The accuracy of our estimate of the burden for this collection of information, including the validity of the methodology and assumptions used;

(3) Ways to enhance the quality, utility, and clarity of the information to be collected; and

(4) How might the agency 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 response.

Comments that you submit in response to this notice are a matter of public record. 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 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.

Abstract: The Service's ''Bison Donations Transfer Protocol'' (protocol) describes the process for the donation of the available surplus bison from the Service to eligible organizations, Tribes, or intertribal organizations as outlined in regulations at 50 CFR 30.1, as well as in Service Manual chapters 701 FW 5 and 701 FW 8. Surplus bison are offspring that exceed the ecological carrying capacity of the Service bison metapopulation. The primary purposes of donating these bison are to support conservation of the species as native North American wildlife and to assist in the restoration of bison herds on conservation partner lands, with special emphasis on restoring conservation herds to Tribal lands. Our authorities governing the Protocol include:

- National Wildlife Refuge System Administration Act (16 U.S.C. 668dd and 668ee, as amended);
- American Indian Religious Freedom Act (Pub. L. 95–341);
- Indian Self-Determination and Education Assistance Act (Public Law 93–638, as amended);
- Surplus Range Animals (50 CFR 30.1);
- Disposition of Surplus Range Animals (50 CFR 30.2);
- Native American Policy of the U.S. Fish and Wildlife Service (510 FW 1);
- Fenced Animal Management policy (701 FW 8); and
- Collections, Donations, and Disposals policy (701 FW 5).

In 2020, the U.S. Department of the Interior (DOI) Bison Working Group published the *Department of the Interior Bison Conservation Initiative 2020* (initiative), recognizing bison as a wildlife species in need of conservation. Consistent with this initiative, Service policy identifies the ecological and cultural values of bison as nationally and/or historically significant animals.

The *Bison Conservation Genetics Workshop: Report and Recommendations* (2010 report) identifies DOI bison herds as a valuable source with which to start new conservation herds proposed by other Federal, State/provincial, or Tribal governments. The *DOI Bison Report: Looking Forward* (2014 report) acknowledges the challenges to achieving bison restoration on DOI lands and emphasizes the importance of partnerships for achieving bison conservation and ecological restoration. Both the 2010 and 2014 reports also identify the potential for bison herds maintained by Indian Tribes to contribute to species conservation, and the Service recognizes that such bison may also support Tribal cultural rights and practices.

Periodic reduction in the size of Service bison herds is required to remain within the ecological carrying capacity of Service lands. Live bison capture and removal assist in the restoration of bison to Tribal lands, support the efforts of States and other conservation organizations, and ensure that the ecological needs of other species are met on refuges of limited size. To support maximum conservation of genetic diversity within and across Service herds, selection of young bison available for donation is coordinated across all refuges. From the surplus bison made available for donation from

refuges, requests will be prioritized for bison restoration and conservation purposes.

We use Form 3–2555, ''Bison Donations Request Form,'' to request surplus bison. Respondents will generally be from Tribal governments and intertribal organizations, although we do expect to receive a small number of requests from States and private sector organizations (nonprofit and educational/research organizations). The request form provides details governing the protocol and collects the following information:

- Name of requesting Tribe, intertribal organization, State, or private sector organization.
- Documentation that the proposed project or program meets the definition of a conservation herd.
- Demonstration of the educational contribution of the donation to increasing public knowledge and appreciation of the wildlife values of bison (for educational and research organizations only).
- Total number (or percentage of total donation request) of bison and purpose of request:

—Establish a free-ranging conservation herd;
—Supplement or augment a free-ranging conservation herd;
—Establish a self-sustaining herd for non-conservation purposes;
—Supplement or augment a self-sustaining herd for non-conservation purposes;
—Public display, educational purposes, and/or research;
—Tribal spiritual or cultural purposes; or
—A description if ''Other'' purpose.

- Signature of requesting Tribe, intertribal organization, State, or private sector organization official.

In addition to the completion of Form 3–2555, recipients of donated bison must inform the Service of the destination State for donated bison no fewer than 30 days prior to a scheduled bison capture operation, to allow the Service time to meet interstate transport regulatory testing requirements. Recipients of donated bison must also inform the Service of the physical destination address for donated bison no fewer than 10 days prior to scheduled bison loadout, to facilitate timely completion of required interstate veterinary permit applications and veterinary inspection certificates.

The public may request a copy of Form 3–2555 by sending a request to the Service Information Collection Clearance Officer (see **ADDRESSES,** above).

Title of Collection: U.S. Fish and Wildlife Service Bison Donations Request Program.

OMB Control Number: 1018–0190.

Form Number: 3–2555.

Type of Review: Extension without change of a currently approved collection.

Respondents/Affected Public: Private sector organizations and State/local/Tribal governments.

Respondent's Obligation: Voluntary.

Total Estimated Number of Annual Respondents: 40.

Total Estimated Number of Annual Responses: 60.

Estimated Completion Time per Response: Varies from 30 minutes to 1 hour, depending on activity.

Total Estimated Number of Annual Burden Hours: 40.

Frequency of Collection: On occasion.

Total Estimated Annual Nonhour Burden Cost: There is no cost associated with the Protocol.

An agency may not conduct or sponsor and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number.

The authority for this action is the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

Madonna Baucum,

Information Collection Clearance Officer, U.S. Fish and Wildlife Service.

[FR Doc. 2025–17471 Filed 9–10–25; 8:45 am]

BILLING CODE 4333–15–P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[FWS–R1–ES–2024–N072; FXES11130100000–256–FF01E00000]

Endangered and Threatened Wildlife and Plants; Initiation of 5-Year Status Reviews for 122 Species in Hawaii, Idaho, Oregon, and Washington

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of initiation of reviews; request for information.

SUMMARY: We, the U.S. Fish and Wildlife Service, are initiating 5-year status reviews for 122 species in Hawaii, Idaho, Oregon, and Washington under the Endangered Species Act of 1973. A 5-year status review is based on the best scientific and commercial data available at the time of the review; therefore, we are requesting submission of any new information on these species that has become available since the last reviews.

DATES: To ensure consideration in our reviews, we are requesting submission of new information no later than November 10, 2025. However, we will continue to accept new information about any species at any time.

ADDRESSES: *Submitting Information on Species:*

- *Any of the 119 species occurring in Hawaii:*
  - *U.S. mail:* Field Supervisor, Attention: 5-Year Review, U.S. Fish and Wildlife Service, Pacific Islands Fish and Wildlife Office, 300 Ala Moana Blvd., Room 3–122, Honolulu, HI 96850; or
  - *Email: pifwo_admin@fws.gov.*
- *Slickspot peppergrass and MacFarlane's four o'clock:*
  - *U.S. mail:* State Supervisor, Attention: 5-Year Review, U.S. Fish and Wildlife Service, Idaho Fish and Wildlife Office, 1387 S Vinnell Way, Suite 368, Boise, ID 83709; or
  - *Email: ifwo@fws.gov.*
- *Umtanum desert buckwheat:*
  - *U.S. mail:* State Supervisor, Attention: 5-Year Review, U.S. Fish and Wildlife Service, Washington Fish and Wildlife Office, 1009 College St. SE, Suite 215, Lacey, WA 98503; or
  - *Email: WFWO_LR@fws.gov.*

FOR FURTHER INFORMATION CONTACT: For general information, please contact Grant Canterbury, Regional Recovery Biologist, at 503–231–6151. 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.

For information about the following specific species, contact the following people:

- *Any of the 119 species occurring in Hawaii:* Megan Laut, Recovery Program Manager, Pacific Islands Fish and Wildlife Office, 808–792–9400; *pifwo_admin@fws.gov.*
- *Slickspot peppergrass and MacFarlane's four o'clock:* Shannon Brinkman, Recovery Coordinator, Idaho Fish and Wildlife Office, 208–918–2155; *ifwo@fws.gov.*
- *Umtanum desert buckwheat:* Rose Agbalog, Recovery Coordinator, Washington Fish and Wildlife Office, 564–200–2124; *WFWO_LR@fws.gov.*

SUPPLEMENTARY INFORMATION:

Why do we conduct 5-year status reviews?

Under the Endangered Species Act of 1973, as amended (Act; 16 U.S.C. 1531, *et seq.*), we maintain Lists of

Endangered and Threatened Wildlife and Plants (which we collectively refer to as the List) in the Code of Federal Regulations (CFR) at 50 CFR 17.11 (for animals) and 17.12 (for plants). Section 4(c)(2)(A) of the Act requires us to review the status of each listed species at least once every 5 years. For additional information about 5-year status reviews, refer to our factsheet at *https://www.fws.gov/project/five-year-status-reviews.*

What information do we consider in our review?

A 5-year status review considers all new information available at the time of the review. In conducting these reviews, we consider the best scientific and commercial data that have become available since the listing determination or most recent status reviews, such as:

A. Species biology, including but not limited to population trends, distribution, abundance, demographics, and genetics;

B. Habitat conditions, including but not limited to amount, distribution, and suitability;

C. Conservation measures that have been implemented that benefit the species;

D. Threat status and trends in relation to the five listing factors (as defined in section 4(a)(1) of the Act); and

E. Other new information, data, or corrections, including but not limited to taxonomic or nomenclatural changes, identification of erroneous information contained in the List, and improved analytical methods.

Any new information will be considered during the 5-year status review and will also be useful in evaluating the ongoing recovery programs for these species.

Which species are under review?

This notice announces our active review of 122 species, including 8 birds, 1 snail, 2 insects, 1 arachnid, 1 crustacean, and 109 plants, as listed in table 1.

TABLE 1—SPECIES UNDER 5-YEAR STATUS REVIEW

Common name	Scientific name	Status	Known range of species occurrence	Final listing rule and publication date
		ANIMALS		
Birds:				
Millerbird, Nihoa (old world warbler).	*Acrocephalus familiaris kingi*	Endangered	Hawaii	32 FR 4001, 3/11/1967.
Duck, Laysan	*Anas laysanensis*	Endangered	Hawaii	32 FR 4001, 3/11/1967.
ʻAkekeʻe (honeycreeper)	*Loxops caeruleirostris*	Endangered	Hawaii	75 FR 18960, 4/13/2010; 50 CFR 17.95(b).[CH]
ʻAkikiki (honeycreeper)	*Oreomystis bairdi*	Endangered	Hawaii	75 FR 18960, 4/13/2010; 50 CFR 17.95(b).[CH]
ʻOʻu (honeycreeper)	*Psittirostra psittacea*	Endangered	Hawaii	32 FR 4001, 3/11/1967.
Petrel, Hawaiian [=ʻuaʻu]	*Pterodroma sandwichensis*	Endangered	Hawaii	32 FR 4001, 3/11/1967.
Finch, Laysan (honeycreeper)	*Telespiza cantans*	Endangered	Hawaii	32 FR 4001, 3/11/1967.
Finch, Nihoa (honeycreeper)	*Telespiza ultima*	Endangered	Hawaii	32 FR 4001, 3/11/1967.
Snails:				
Snail, Newcomb's	*Erinna newcombi*	Threatened	Hawaii	65 FR 4162, 1/26/2000; 50 CFR 17.95(f).[CH]
Insects:				
Fly, Hawaiian picture-wing	*Drosophila musaphilia*	Endangered	Hawaii	71 FR 26835, 5/9/2006; 50 CFR 17.95(i).[CH]
Fly, Hawaiian picture-wing	*Drosophila sharpi*	Endangered	Hawaii	71 FR 26835, 5/9/2006; 50 CFR 17.95(i).[CH]
Arachnids:				
Spider, Kauai cave wolf [=peʻepeʻemakaʻole].	*Adelocosa anops*	Endangered	Hawaii	65 FR 2348, 1/14/2000; 50 CFR 17.95(g).[CH]
Crustaceans:				
Amphipod, Kauai cave	*Spelaeorchestia koloana*	Endangered	Hawaii	65 FR 2348, 1/14/2000; 50 CFR 17.95(h).[CH]
		PLANTS		
Flowering Plants:				
Paʻiniu	*Astelia waialealae*	Endangered	Hawaii	75 FR 18960, 4/13/2010; 50 CFR 17.99(a).[CH]
ʻŌlulu	*Brighamia insignis*	Endangered	Hawaii	59 FR 9304, 2/25/1994; 50 CFR 17.99(a)(1);[CH] 50 CFR 17.99(a)(2).[CH]
ʻĀwikiwiki	*Canavalia napaliensis*	Endangered	Hawaii	75 FR 18960, 4/13/2010; 50 CFR 17.99(a).[CH]
Pāpala	*Charpentiera densiflora*	Endangered	Hawaii	75 FR 18960, 4/13/2010; 50 CFR 17.99(a).[CH]
Hāhā	*Cyanea asarifolia*	Endangered	Hawaii	59 FR 9304, 2/25/1994; 50 CFR 17.99(a)(1).[CH]
Hāhā	*Cyanea dolichopoda*	Endangered	Hawaii	75 FR 18960, 4/13/2010; 50 CFR 17.99(a).[CH]
Hāhā	*Cyanea eleeleensis*	Endangered	Hawaii	75 FR 18960, 4/13/2010; 50 CFR 17.99(a).[CH]
Hāhā	*Cyanea kolekoleensis*	Endangered	Hawaii	75 FR 18960, 4/13/2010; 50 CFR 17.99(a).[CH]
Hāhā	*Cyanea kuhihewa*	Endangered	Hawaii	75 FR 18960, 4/13/2010; 50 CFR 17.99(a).[CH]
Hāhā	*Cyanea recta*	Threatened	Hawaii	61 FR 53070, 10/10/1996; 50 CFR 17.99(a)(1).[CH]
Hāhā	*Cyanea remyi*	Endangered	Hawaii	61 FR 53070, 10/10/1996; 50 CFR 17.99(a)(1).[CH]
Hāhā	*Cyanea* [=*Delissea*] *rivularis*	Endangered	Hawaii	61 FR 53070, 10/10/1996; 50 CFR 17.99(a)(1).[CH]

TABLE 1—SPECIES UNDER 5-YEAR STATUS REVIEW—Continued

Common name	Scientific name	Status	Known range of species occurrence	Final listing rule and publication date
Hāhā	*Cyanea undulata*	Endangered	Hawaii	56 FR 47695, 9/20/1991; 50 CFR 17.99(a)(1).[CH]
Māpele	*Cyrtandra cyaneoides*	Endangered	Hawaii	61 FR 53070, 10/10/1996; 50 CFR 17.99(a)(1).[CH]
Haʻiwale	*Cyrtandra kealiae* ssp. *kealiae* [=*C. limahuliensis*].	Threatened	Hawaii	59 FR 9304, 2/25/1994; 50 CFR 17.99(a)(1).[CH]
Haʻiwale	*Cyrtandra oenobarba*	Endangered	Hawaii	75 FR 18960, 4/13/2010; 50 CFR 17.99(a).[CH]
Haʻiwale	*Cyrtandra paliku*	Endangered	Hawaii	75 FR 18960, 4/13/2010; 50 CFR 17.99(a).[CH]
No common name	*Delissea rhytidosperma*	Endangered	Hawaii	59 FR 9304, 2/25/1994; 50 CFR 17.99(a)(1).[CH]
Naʻenaʻe	*Dubautia imbricata* ssp. *imbricata*	Endangered	Hawaii	75 FR 18960, 4/13/2010; 50 CFR 17.99(a).[CH]
Naʻenaʻe	*Dubautia kalalauensis*	Endangered	Hawaii	75 FR 18960, 4/13/2010; 50 CFR 17.99(a).[CH]
Naʻenaʻe	*Dubautia kenwoodii*	Endangered	Hawaii	75 FR 18960, 4/13/2010; 50 CFR 17.99(a).[CH]
Koholāpehu	*Dubautia latifolia*	Endangered	Hawaii	57 FR 20580, 5/13/1992; 50 CFR 17.99(a)(1).[CH]
Naʻenaʻe	*Dubautia pauciflorula*	Endangered	Hawaii	56 FR 47695, 9/20/1991 50 CFR 17.99(a)(1).[CH]
Naʻenaʻe	*Dubautia plantaginea* ssp. *magnifolia.*	Endangered	Hawaii	75 FR 18960, 4/13/2010; 50 CFR 17.99(a).[CH]
Naʻenaʻe	*Dubautia waialealae*	Endangered	Hawaii	75 FR 18960, 4/13/2010; 50 CFR 17.99(a).[CH]
Buckwheat, Umtanum desert	*Eriogonum codium*	Threatened	Washington	78 FR 23983, 4/23/2013; 50 CFR 17.96(a).[CH]
ʻAkoko	*Euphorbia* [=*Chamaesyce*] *eleanoriae.*	Endangered	Hawaii	75 FR 18960, 4/13/2010; 50 CFR 17.99(a).[CH]
ʻAkoko	*Euphorbia* [=*Chamaesyce*] *halemanui.*	Endangered	Hawaii	57 FR 20580, 5/13/1992; 50 CFR 17.99(a)(1).[CH]
ʻAkoko	*Euphorbia* [=*Chamaesyce*] *remyi* var. *kauaiensis.*	Endangered	Hawaii	75 FR 18960, 4/13/2010; 50 CFR 17.99(a).[CH]
ʻAkoko	*Euphorbia* [=*Chamaesyce*] *remyi* var. *remyi.*	Endangered	Hawaii	75 FR 18960, 4/13/2010; 50 CFR 17.99(a).[CH]
Heau	*Exocarpos luteolus*	Endangered	Hawaii	59 FR 9304, 2/25/1994; 50 CFR 17.99(a)(1).[CH]
Nohoanu	*Geranium kauaiense*	Endangered	Hawaii	75 FR 18960, 4/13/2010; 50 CFR 17.99(a).[CH]
No common name	*Hesperomannia arborescens*	Endangered	Hawaii	59 FR 14482; 3/28/1994; 50 CFR 17.99(e)(1);[CH] 50 CFR 17.99(c);[CH] 50 CFR 17.99(i).[CH]
No common name	*Hesperomannia lydgatei*	Endangered	Hawaii	56 FR 47695, 9/20/1991; 50 CFR 17.99(a)(1).[CH]
Kauai hau kuahiwi	*Hibiscadelphus distans*	Endangered	Hawaii	51 FR 15903; 4/29/1986.
Hau kuahiwi	*Hibiscadelphus woodii*	Endangered	Hawaii	61 FR 53070, 10/10/1996; 50 CFR 17.99(a)(1).[CH]
Hibiscus, Clay's [=Aloalo]	*Hibiscus clayi*	Endangered	Hawaii	59 FR 9304, 2/25/1994; 50 CFR 17.99(a)(1).[CH]
Kokiʻo keʻokeʻo	*Hibiscus waimeae* ssp. *hannerae*	Endangered	Hawaii	61 FR 53070, 10/10/1996; 50 CFR 17.99(a)(1).[CH]
Aupaka	*Isodendrion laurifolium*	Endangered	Hawaii	61 FR 53108, 10/10/1996; 50 CFR 17.99(a)(1);[CH] 50 CFR 17.99(i).[CH]
No common name	*Kadua* [=*Hedyotis*] *st.-johnii*	Endangered	Hawaii	56 FR 49639, 9/30/1991 50 CFR 17.99(a)(1).[CH]
No common name	*Keysseria* [=*Lagenifera*] *erici*	Endangered	Hawaii	75 FR 18960, 4/13/2010; 50 CFR 17.99(a).[CH]
No common name	*Keysseria* [=*Lagenifera*] *helenae*	Endangered	Hawaii	75 FR 18960, 4/13/2010; 50 CFR 17.99(a).[CH]
Kokiʻo	*Kokia kauaiensis*	Endangered	Hawaii	61 FR 53070, 10/10/1996; 50 CFR 17.99(a)(1).[CH]
Kāmakahala	*Labordia helleri*	Endangered	Hawaii	75 FR 18960, 4/13/2010; 50 CFR 17.99(a).[CH]
Kāmakahala	*Labordia lydgatei*	Endangered	Hawaii	56 FR 47695, 9/20/1991; 50 CFR 17.99(a)(1).[CH]
Kāmakahala	*Labordia pumila*	Endangered	Hawaii	75 FR 18960, 4/13/2010; 50 CFR 17.99(a).[CH]
Kāmakahala	*Labordia tinifolia* var. *wahiawaensis.*	Endangered	Hawaii	61 FR 53070, 10/10/1996; 50 CFR 17.99(a)(1).[CH]
Peppergrass, slickspot	*Lepidium papilliferum*	Threatened	Idaho	74 FR 52014, 10/8/2009; 81 FR 55058, 8/17/2016; 50 CFR 17.96(a).[CH]
Nehe	*Lipochaeta fauriei*	Endangered	Hawaii	59 FR 9304, 2/25/1994; 50 CFR 17.99(a)(1).[CH]
Nehe	*Lipochaeta micrantha*	Endangered	Hawaii	59 FR 9304, 2/25/1994; 50 CFR 17.99(a)(1).[CH]
Nehe	*Lipochaeta waimeaensis*	Endangered	Hawaii	59 FR 9304, 2/25/1994; 50 CFR 17.99(a)(1).[CH]

TABLE 1—SPECIES UNDER 5-YEAR STATUS REVIEW—Continued

Common name	Scientific name	Status	Known range of species occurrence	Final listing rule and publication date
Lehua makanoe	*Lysimachia daphnoides*	Endangered	Hawaii	75 FR 18960, 4/13/2010; 50 CFR 17.99(a).[CH]
No common name	*Lysimachia iniki*	Endangered	Hawaii	75 FR 18960, 4/13/2010; 50 CFR 17.99(a).[CH]
No common name	*Lysimachia pendens*	Endangered	Hawaii	75 FR 18960, 4/13/2010; 50 CFR 17.99(a).[CH]
No common name	*Lysimachia scopulensis*	Endangered	Hawaii	75 FR 18960, 4/13/2010; 50 CFR 17.99(a).[CH]
No common name	*Lysimachia venosa*	Endangered	Hawaii	75 FR 18960, 4/13/2010; 50 CFR 17.99(a).[CH]
Alani	*Melicope degeneri*	Endangered	Hawaii	75 FR 18960, 4/13/2010; 50 CFR 17.99(a).[CH]
Alani	*Melicope haupuensis*	Endangered	Hawaii	59 FR 9304, 2/25/1994; 50 CFR 17.99(a)(1).[CH]
Alani	*Melicope pallida*	Endangered	Hawaii	59 FR 9304, 2/25/1994; 50 CFR 17.99(a)(1).[CH]
Alani	*Melicope paniculata*	Endangered	Hawaii	75 FR 18960, 4/13/2010; 50 CFR 17.99(a).[CH]
Alani	*Melicope puberula*	Endangered	Hawaii	75 FR 18960, 4/13/2010; 50 CFR 17.99(a).[CH]
Alani	*Melicope quadrangularis*	Endangered	Hawaii	59 FR 9304, 2/25/1994.
Pilo kea lau li'i	*Melicope* [=*Platydesma*] *rostrata*	Endangered	Hawaii	75 FR 18960, 4/13/2010; 50 CFR 17.99(a).[CH]
Four o'clock, MacFarlane's	*Mirabilis macfarlanei*	Threatened	Idaho, Oregon	44 FR 61912, 10/26/1979; 61 FR 10693, 3/15/1996.
Kōlea	*Myrsine knudsenii*	Endangered	Hawaii	75 FR 18960, 4/13/2010; 50 CFR 17.99(a).[CH]
Kōlea	*Myrsine linearifolia*	Threatened	Hawaii	61 FR 53070, 10/10/1996; 50 CFR 17.99(a)(1).[CH]
Kōlea	*Myrsine mezii*	Endangered	Hawaii	75 FR 18960, 4/13/2010; 50 CFR 17.99(a).[CH]
'Aiea	*Nothocestrum peltatum*	Endangered	Hawaii	59 FR 9304, 2/25/1994; 50 CFR 17.99(a)(1).[CH]
Lau 'ehu	*Panicum niihauense*	Endangered	Hawaii	61 FR 53108, 10/10/1996; 50 CFR 17.99(a)(1).[CH]
Makou	*Peucedanum sandwicense*	Threatened	Hawaii	59 FR 9304, 2/25/1994; 50 CFR 17.99(a)(1);[CH] 50 CFR 17.99(c));[CH] 50 CFR 17.99(e)(1));[CH] 50 CFR 17.99(i).[CH]
No common name	*Phyllostegia knudsenii*	Endangered	Hawaii	61 FR 53070, 10/10/1996; 50 CFR 17.99(a)(1).[CH]
No common name	*Phyllostegia renovans*	Endangered	Hawaii	75 FR 18960, 4/13/2010; 50 CFR 17.99(a).[CH]
No common name	*Phyllostegia waimeae*	Endangered	Hawaii	59 FR 9304, 2/25/1994; 50 CFR 17.99(a)(1).[CH]
No common name	*Phyllostegia wawrana*	Endangered	Hawaii	61 FR 53070, 10/10/1996; 50 CFR 17.99(a)(1).[CH]
Hō'awa	*Pittosporum napaliense*	Endangered	Hawaii	75 FR 18960, 4/13/2010; 50 CFR 17.99(a).[CH]
Bluegrass, Mann's	*Poa mannii*	Endangered	Hawaii	59 FR 56330, 11/10/1994; 50 CFR 17.99(a)(1).[CH]
Bluegrass, Hawaiian	*Poa sandvicensis*	Endangered	Hawaii	57 FR 20580, 5/13/1992; 50 CFR 17.99(a)(1).[CH]
No common name	*Poa siphonoglossa*	Endangered	Hawaii	57 FR 20580, 5/13/1992; 50 CFR 17.99(a)(1).[CH]
No common name [='Ohe'ohe]	*Polyscias bisattenuata*	Endangered	Hawaii	75 FR 18960, 4/13/2010; 50 CFR 17.99(a).[CH]
No common name [='Ohe'ohe]	*Polyscias flynnii*	Endangered	Hawaii	75 FR 18960, 4/13/2010; 50 CFR 17.99(a).[CH]
No common name	*Polyscias racemosa*	Endangered	Hawaii	59 FR 9304, 2/25/1994; 50 CFR 17.99(a)(1).[CH]
Loulu	*Pritchardia hardyi*	Endangered	Hawaii	75 FR 18960, 4/13/2010.
Loulu	*Pritchardia napaliensis*	Endangered	Hawaii	61 FR 53070, 10/10/1996.
Loulu	*Pritchardia viscosa*	Endangered	Hawaii	61 FR 53070, 10/10/1996.
Kōpiko	*Psychotria grandiflora*	Endangered	Hawaii	75 FR 18960, 4/13/2010; 50 CFR 17.99(a).[CH]
Kōpiko	*Psychotria hobdyi*	Endangered	Hawaii	75 FR 18960, 4/13/2010; 50 CFR 17.99(a).[CH]
Kaulu	*Pteralyxia kauaiensis*	Endangered	Hawaii	59 FR 9304, 2/25/1994; 50 CFR 17.99(a)(1).[CH]
No common name	*Remya kauaiensis*	Endangered	Hawaii	56 FR 1450, 1/14/1991; 50 CFR 17.99(a)(1).[CH]
No common name	*Remya montgomeryi*	Endangered	Hawaii	56 FR 1450, 1/14/1991; 50 CFR 17.99(a)(1).[CH]
Ma'oli'oli	*Schiedea apokremnos*	Endangered	Hawaii	56 FR 49639, 9/30/1991; 50 CFR 17.99(a)(1).[CH]
No common name	*Schiedea attenuata*	Endangered	Hawaii	75 FR 18960, 4/13/2010; 50 CFR 17.99(a).[CH]

TABLE 1—SPECIES UNDER 5-YEAR STATUS REVIEW—Continued

Common name	Scientific name	Status	Known range of species occurrence	Final listing rule and publication date
No common name	*Schiedea helleri*	Endangered	Hawaii	61 FR 53070, 10/10/1996; 50 CFR 17.99(a)(1).CH
No common name	*Schiedea kauaiensis*	Endangered	Hawaii	61 FR 53108, 10/10/1996; 50 CFR 17.99(a)(1).CH
Kuawāwaenohu	*Schiedea lychnoides*	Endangered	Hawaii	61 FR 53070, 10/10/1996; 50 CFR 17.99(a)(1).CH
No common name	*Schiedea membranacea*	Endangered	Hawaii	61 FR 53070, 10/10/1996; 50 CFR 17.99(a)(1).CH
No common name	*Schiedea spergulina* var. *leiopoda*	Endangered	Hawaii	59 FR 9304, 2/25/1994; 50 CFR 17.99(a)(1).CH
No common name	*Schiedea spergulina* var. *spergulina.*	Threatened	Hawaii	59 FR 9304, 2/25/1994; 50 CFR 17.99(a)(1).CH
Laulihilihi [=Mā'oli'oli]	*Schiedea stellarioides*	Endangered	Hawaii	61 FR 53070, 10/10/1996; 50 CFR 17.99(a)(1).CH
No common name	*Schiedea viscosa*	Endangered	Hawaii	61 FR 53070, 10/10/1996; 50 CFR 17.99(a)(1).CH
No common name	*Stenogyne campanulata*	Endangered	Hawaii	57 FR 20580, 5/13/1992; 50 CFR 17.99(a)(1).CH
No common name	*Stenogyne kealiae*	Endangered	Hawaii	75 FR 18960, 4/13/2010; 50 CFR 17.99(a).CH
No common name	*Viola helenae*	Endangered	Hawaii	56 FR 47695, 9/20/1991; 50 CFR 17.99(a)(1).CH
Nani wai'ale'ale [=Pohe hiwa]	*Viola kauaiensis* var. *wahiawaensis*	Endangered	Hawaii	61 FR 53070, 10/10/1996; 50 CFR 17.99(a)(1).CH
Iliau, dwarf	*Wilkesia hobdyi*	Endangered	Hawaii	57 FR 27859; 6/22/1992; 50 CFR 17.99(a)(1).CH
No common name	*Xylosma crenatum*	Endangered	Hawaii	57 FR 20580, 5/13/1992; 50 CFR 17.99(a)(1).CH
Ferns and Allies:				
No common name	*Asplenium dielmannii*	Endangered	Hawaii	75 FR 18960, 4/13/2010; 50 CFR 17.99(a).CH
No common name	*Asplenium dielpallidum*	Endangered	Hawaii	59 FR 9304, 2/25/1994; 50 CFR 17.99(a)(1).CH
No common name	*Doryopteris angelica*	Endangered	Hawaii	75 FR 18960, 4/13/2010; 50 CFR 17.99(a).CH
Palapalai 'aumakua	*Dryopteris crinalis* var. *podosorus*	Endangered	Hawaii	75 FR 18960, 4/13/2010; 50 CFR 17.99(a).CH

Note: CH = Critical habitat designation.

Request for New Information

To ensure that a 5-year status review is complete and based on the best available scientific and commercial information, we request new information from all sources. See What Information Do We Consider in Our Review? for specific criteria. If you submit information, please support it with documentation such as maps, references, methods used to gather and analyze the data, and copies of any pertinent publications, reports, or letters by knowledgeable sources.

If you wish to provide information for any species listed in the table, please submit your comments and materials to the appropriate contact in **ADDRESSES**.

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.

Completed and Active Reviews

A table including hyperlinks to the most recently completed 5-year status review for each listed species, as well as notices of 5-year status reviews that are currently in progress, is available at *https://ecos.fws.gov/ecp/report/species-five-year-review.*

Authority

This document is published under the authority of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*).

Bridget Fahey,

Acting Regional Director, Pacific Region, U.S. Fish and Wildlife Service.

[FR Doc. 2025–17566 Filed 9–10–25; 8:45 am]

BILLING CODE 4333–15–P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[Docket No. FWS–R4–ES–2025–0007; FXES11140400000–256–FF04EF4000]

Receipt of Incidental Take Permit Application and Proposed Habitat Conservation Plan for the Sand Skink and Blue-Tailed Mole-Skink; Polk County, FL; Categorical Exclusion

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 CBD Land Investors, LLC (applicant), for an incidental take permit (ITP) under the Endangered Species Act (ESA). The applicant requests the ITP to take the federally listed sand skink and blue-tailed mole skink incidental to the construction of a residential development in Polk County, Florida. We request public comment on the application, which includes the applicant's proposed habitat conservation plan (HCP), and on the

Service's preliminary determination that the proposed permitting action may be eligible for a categorical exclusion pursuant to the National Environmental Policy Act (NEPA), the Department of the Interior's (DOI) NEPA regulations, and the DOI Departmental Manual (DM). To make this preliminary determination, we prepared a draft screening form and NEPA statement for HCPs, both of which are available for public review. We invite comment from the public and local, State, Tribal, and Federal agencies.

DATES: We must receive your written comments on or before October 14, 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–2025–0007 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–2025–0007.
- *U.S. mail:* Public Comments Processing, Attn: Docket No. FWS–R4–ES–2025–0007; U.S. Fish and Wildlife Service, MS: PRB/3W, 5275 Leesburg Pike, Falls Church, VA 22041–3803.

FOR FURTHER INFORMATION CONTACT: José J. Rivera, by U.S. mail (see **ADDRESSES**), by telephone at 772–226–8018, or via email at *jose_rivera@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 from CBD Land Investors, LLC (applicant), for an ITP under the Endangered Species Act of 1973, as amended (ESA; 16 U.S.C. 1531 *et seq.*). The applicant requests the ITP to take the federally listed sand skink (*Neoseps* (=*Plestiodon*) *reynoldsi*) and blue-tailed mole skink (*Eumeces egregius lividus*) (skinks) incidental to the construction and operation of a residential development in Polk County, Florida. We request public comment on the application, which includes the applicant's HCP, and on the Service's preliminary determination that this proposed ITP may qualify for a categorical exclusion pursuant to NEPA (42 U.S.C. 4321 *et seq.*), the DOI's NEPA regulations (43 CFR part 46), and the DOI's Departmental Manual DM (516 DM 8.5(C)(2)). To make this preliminary determination, we prepared a draft screening form and NEPA statement for HCPs, both of which are available for public review.

Proposed Project

The applicant requests a 10-year ITP to take skinks via the conversion of approximately 2.56 acres (ac) of occupied nesting, foraging, and sheltering skink habitat incidental to the construction of a residential development on a 76.94 ac parcel located at 1615 Burns Avenue in Section 31, Township 29 South, Range 28 East, Lake Wales, Polk County, Florida. The applicant proposes to mitigate for take of skinks through the purchase of 5.12 ac of conservation credits (in accordance with the Service's 2:1 mitigation ratio guidelines) from a Service-authorized conservation bank prior to engaging in any phase of the project.

Our Preliminary Determination

The Service has made a preliminary determination that reasonably foreseeable effects of the applicant's proposed project, including the construction of the residential development and associated infrastructure (*e.g.,* electric, water, and sewer lines), would have a minor effect on the skinks and the human environment, and no extraordinary circumstances in 43 CFR 43.215 apply. Reasonably foreseeable effects encompass effects of implementation of the action including effects of the action in addition to other past, present, and reasonably foreseeable future effects.

Therefore, we have preliminarily determined that the proposed ESA section 10(a)(1)(B) permit would be a low-effect ITP that may qualify for application of a categorical exclusion (516 DM 8.5(C)(2)), pursuant to NEPA, the DOI's NEPA regulations, and the DOI DM. A low-effect ITP is one that would result in (1) negligible or minor effects on species covered in the HCP; (2) no significant effects on the human environment; and (3) reasonably foreseeable effects that would not result in significant effects to the human environment.

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 PER13677945 to CBD Land Investors, 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 Endangered Species Act (16 U.S.C. 1531 *et seq.*) and its implementing regulations (50 CFR 17.32), NEPA (42 U.S.C. 4321 *et seq.*), as amended, and the DOI's implementing regulations (43 CFR part 46).

Jose Rivera,

Field Supervisor, Division of Environmental Review, Florida Ecological Services Field Office.

[FR Doc. 2025–17559 Filed 9–10–25; 8:45 am]

BILLING CODE 4333–15–P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[Docket No. FWS–R4–ES–2025–0082; FXES11140400000–256–FF04EF4000]

Receipt of Incidental Take Permit Application and Proposed Habitat Conservation Plan for the Sand Skink and Blue-tailed Mole Skink; Polk County, FL; Categorical Exclusion

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of availability; request for comments and information.

SUMMARY: We, the Fish and Wildlife Service (Service), announce receipt of an application from Lennar Homes (Smokey Groves) (applicant) for an incidental take permit (ITP) under the Endangered Species Act. The applicant requests the ITP to take the federally listed threatened sand skink and blue-tailed mole skink incidental to the construction of a mixed density residential development in Polk County, Florida. We request public comment on the application, which includes the applicant's proposed habitat conservation plan (HCP), and on the Service's preliminary determination that the proposed permitting action may be eligible for a categorical exclusion pursuant to the Nation Environmental Policy Act (NEPA), the Department of Interior's (DOI) NEPA regulations, and the DOI Department Manual (DM). To make this preliminary determination, we prepared a draft screening form and NEPA statement for HCPs, which is available for public review. We invite comment from the public and local, State, Tribal, and Federal agencies.

DATES: We must receive your written comments on or before October 14, 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–2025–0082; 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–2025–0082;
- *U.S. mail:* Public Comments Processing, Attn: Docket No. FWS–R4–ES–2025–0082; U.S. Fish and Wildlife Service, MS: PRB/3W, 5275 Leesburg Pike, Falls Church, VA 22041–3803.

FOR FURTHER INFORMATION CONTACT: Erin Gawera, by U.S. mail (see **ADDRESSES**), by telephone at 904–404–2464 or via email at *erin_gawera@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 (Service), announce receipt of an application from Lennar Homes (Smokey Groves) (applicant) for an ITP under the Endangered Species Act of 1973, as amended (ESA; 16 U.S.C. 1531 *et seq.*). The applicant requests the ITP to take federally listed sand skinks (*Neopseps (=Plestiodon) reynoldsi*) and blue-tailed mole skinks (*Eumeces egregius lividus*) (skinks) incidental to the construction and operation of a mixed density residential development in Polk County, Florida. We request public comment on the application, which includes the applicant's HCP, and on the Service's preliminary determination that this proposed ITP may qualify for a categorical exclusion pursuant to NEPA (42 U.S.C. 4321 *et seq.*), DOI's NEPA regulations (43 CFR part 46), and the DOI's Departmental Manual (516 DM 8.5(C)(2)). To make this preliminary determination, we prepared a draft screening form and NEPA statement for HCPs, both of which are available for public review.

Proposed Project

The applicant requests a 15-year ITP to take skinks via the conversion of approximately 9.71 acres (ac) of occupied nesting, foraging, and sheltering skink habitat incidental to the construction and operation of a mixed density residential development on 279.50-acs, Parcel #s 28–28–17–000000–033000, 28–28–18–000000–010000, 28–28–08–000000–044030, and 28–28–07–000000–022010 in Sections 5, 6, 7, 8, 17 & 18, Township 28 South, Range 28 East, Polk County, Florida. The applicant proposes to mitigate for take of the skinks by purchasing credits equivalent to 19.42 ac of skink-occupied habitat within a Service-approved conservation bank. The Service would require the applicant to purchase the credits prior to engaging in any phase of the project.

Our Preliminary Determination

The Service has made a preliminary determination that reasonably foreseeable effects of the applicant's proposed project, including the construction of the buildings and associated infrastructure (*i.e.,* electric, water, and sewer lines), would have a minor effect on the skinks and the human environment, and no extraordinary circumstances in 43 CFR 43.215 apply. Reasonably foreseeable effects encompass effects of implementation of the action including effects of the action in addition to other past, present, and reasonably foreseeable future effects.

Therefore, we have preliminarily determined that the proposed ESA section 10(a)(1)(B) permit would be a low-effect ITP that may qualify for application of a categorical exclusion (516 DM 8.5(C)(2)), pursuant to NEPA, the DOI's NEPA regulations, and the DOI DM. A low-effect ITP is one that would result in (1) negligible or minor individual or cumulative effects on species covered in the HCP; (2) no significant effects on the human environment; and (3) reasonably foreseeable effects that would not result in significant effects to the human environment.

Next Steps

The Service will evaluate the application and public comments received to determine whether to issue the requested permit. 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 PER16854790 to Lennar Homes (Smokey Groves).

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 Endangered Species Act (16 U.S.C. 1531 *et seq.*) and its implementing regulations (50 CFR 17.32), NEPA (42 U.S.C. 4321 *et seq.*), and DOI's implementing regulations (43 CFR part 46).

José J. Rivera,

Manager, Division of Environmental Review, Florida Ecological Services Field Office, U.S. Fish and Wildlife Service.

[FR Doc. 2025–17554 Filed 9–10–25; 8:45 am]

BILLING CODE 4333–15–P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[Docket No. FWS–HQ–LE–2025–0572; FXLE18110900000–256–FF09L00000; OMB Control Number 1018–0092]

Agency Information Collection Activities; Federal Fish and Wildlife Applications and Reports—Law Enforcement

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of information collection; request for comment.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995 (PRA), we, the U.S. Fish and Wildlife Service (Service), are proposing to renew an information collection without change.

DATES: Interested persons are invited to submit comments on or before November 10, 2025.

ADDRESSES: Send your comments on the information collection request (ICR) by one of the following methods (please reference 1018–0092 in the subject line of your comments):

- *Internet (preferred): https://www.regulations.gov.* Follow the instructions for submitting comments on Docket No. FWS–HQ–LE–2025–0572.
- *Email: Info_Coll@fws.gov.*
- *U.S. mail:* Service Information Collection Clearance Officer, U.S. Fish and Wildlife Service, 5275 Leesburg Pike, MS: PRB (JAO/3W), Falls Church, VA 22041–3803.

FOR FURTHER INFORMATION CONTACT: Madonna L. Baucum, Service Information Collection Clearance Officer, by email at *Info_Coll@fws.gov,* or by telephone at (703) 358–2503. 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: In accordance with the Paperwork Reduction Act (PRA, 44 U.S.C. 3501 *et seq.*) and its implementing regulations at 5 CFR 1320.8(d)(1), all information collections require approval under the PRA. We may not conduct or sponsor and you are not required to respond to a collection of information unless it displays a currently valid Office of Management and Budget (OMB) control number.

As part of our continuing effort to reduce paperwork and respondent burdens, we invite the public and other Federal agencies to comment on new, proposed, revised, and continuing collections of information. This helps us assess the impact of our information collection requirements and minimize the public's reporting burden. It also helps the public understand our information collection requirements and provide the requested data in the desired format.

We are especially interested in public comment addressing the following:

(1) Whether or not the collection of information is necessary for the proper performance of the functions of the agency, including whether or not the information will have practical utility;

(2) The accuracy of our estimate of the burden for this collection of information, including the validity of the methodology and assumptions used;

(3) Ways to enhance the quality, utility, and clarity of the information to be collected; and

(4) How might the agency 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 response).

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 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.

Abstract: The Endangered Species Act (ESA; 16 U.S.C. 1531 *et seq.*) makes it unlawful to import or export wildlife or wildlife products for commercial purposes without first obtaining an import/export license (see 16 U.S.C. 1538(d)). The ESA also requires that fish or wildlife be imported into or exported from the United States only at a designated port, or at a nondesignated port under certain limited circumstances (see 16 U.S.C. 1538(f)). This information collection includes the following permit/license application forms:

Form 3–200–2, ''Designated Port Exception Permit''

Under 50 CFR 14.11, it is unlawful to import or export wildlife or wildlife products at ports other than those designated in 50 CFR 14.12, unless you qualify for an exception. The following exceptions allow qualified individuals, businesses, or scientific organizations to import or export wildlife or wildlife products at a nondesignated port:

(a) To export the wildlife or wildlife products for scientific purposes;

(b) To minimize deterioration or loss; or

(c) To relieve economic hardship.

To request authorization to import or export wildlife or wildlife products at nondesignated ports, applicants must complete Form 3–200–2. Designated port exception permits can be valid for up to 2 years. We may require a permittee to file a report on activities conducted under authority of the permit.

Forms 3–200–3a, ''Federal Fish and Wildlife Permit Application Form: Import/Export License—U.S. Entities,'' and 3–200–3b, ''Federal Fish and Wildlife Permit Application Form: Import/Export License—Foreign Entities'' (Paper and Electronic)

It is unlawful to import or export wildlife or wildlife products for commercial purposes without first obtaining an import/export license (50 CFR 14.91). Applicants located in the United States must complete Form 3–200–3a to request this license. Foreign applicants that reside or are located outside the United States must complete Form 3–200–3b to request this license.

We use the information collected on Forms 3–200–3a and 3–200–3b as an enforcement tool and management aid to (a) monitor the international wildlife market and (b) detect trends and changes in the commercial trade of wildlife and wildlife products. Import/export licenses are valid for up to 1 year. We may require a licensee to file a report on activities conducted under authority of the import/export license.

Form 3–200–44, ''Permit Application Form: Registration of an Agent/Tannery Under the Marine Mammal Protection Act (MMPA)''

The information collected on Form 3–200–44 will be used by Service employees to confirm that an applicant has provided a written description of the procedures that they will use to receive, store, process, and ship marine mammal parts and products. The information collected will also be used to confirm the written description system of the bookkeeping and inventory that the applicant will use to receive, store, process and ship marine mammal parts and products, from Native Alaskans to Native Alaskans.

Form 3–200–44a, ''Registered Agent/Tannery Bi-Annual Inventory Report''

The information collected on Form 3–200–44a will be used by Service employees to review the activities of the registered agent or registered tannery regarding the receipt and transfer of marine mammal parts and products from Native Alaskans to Native Alaskans.

Unless a form number is specified in the table below, we collect the following information on Forms 3–200–2, 3–200–3a, 3–200–3b, 3–200–44, and 3–200–44a:

We collect information on . . .	So that we can . . .
Name of the individual and personal identifying information such as date of birth, social security number, occupation, and address and contact information.	Identify the individual and the activity conducted by the applicant for which a license/permit is required.
Name of business, tax identification number or social security number, description of business, website, and name and contact information for the principal officer.	Identify the business and the activity conducted by the applicant for which a license/permit is required.
Name, street address, and contact information for each additional partner/principal officer (3–200–3a and 3b).	Identify all individuals or businesses associated with the entity requesting a license/permit.
Whether or not applicant has or has ever had any Federal fish and wildlife permits; if yes, number of current permit or permit to be renewed/reissued.	Identify prior or current activity under Federal wildlife permits. This helps in determining their knowledge of Service laws and regulations.
U.S. address for foreign applicant	Inspect records, as necessary.
Name, physical address, and telephone number of agent or location where business records will be maintained.	Inspect records, as necessary.
Street address and contact information for location where wildlife inventories will be kept (3–200–3a and 3b).	Provide Service Officers access to their facility to examine inventories of wildlife or wildlife products imported or to be exported.
Port(s) of entry where importation/exportation is requested (3–200–2)	Determine if port is appropriate to be requested. Determine if additional workload can be accommodated by staff presently available at the requested port.
Valid import/export license number (for commercial shipments) (3–200–2).	Establish compliance with commercial import/export requirements.
Reason for requesting port exception (3–200–2)	Determine if there is a bona fide scientific purpose, potential deterioration or loss, or potential economic hardship that would occur from the issuance of the permit.
General description of wildlife or wildlife products	Determine workload burden.
Whether the applicant is applying for a registration under the Marine Mammal Protection Act (MMPA) as agent, tannery, or both (3–200–44).	Determine whether the business qualifies for a registration under the MMPA.
The species that the agent or tannery wishes to use in the transfer of marine mammal parts and products from Native Alaskans to Native Alaskans (3–200–44).	Determine that the species requested are eligible under the MMPA.
The procedure that the agent or tannery will use to receive, store, process, and ship marine mammal parts and products from Native Alaskans to Native Alaskans (3–200–44).	Determine that these procedures are sufficient to ensure the legitimate transfer of mammal parts and products from Native Alaskans to Native Alaskans.
The system of bookkeeping and inventory used to receive, store, process, and ship marine mammal parts and products from Native Alaskans to Native Alaskans (3–200–44).	Determine that the system of bookkeeping and inventory are sufficient to ensure the legitimate transfer of mammal parts and products from Native Alaskans to Native Alaskans.
A certification by the applicant that they will responsibly receive, store, process, and ship marine mammal parts and products from Native Alaskans to Native Alaskans to receive an exemption under the MMPA (3–200–44).	Confirm that the applicant is aware of the requirements in order to receive an exemption under the MMPA.
A description of the activities of the registered agent or registered tannery regarding the receipt and transfer of marine mammal parts and products from Native Alaskans to Native Alaskans (3–200–44a).	Confirm that the applicant is receiving, storing, processing, and shipping marine mammal parts and products from Native Alaskans to Native Alaskans.

Permittees and licensees must maintain records that accurately describe each importation or exportation of wildlife or wildlife products under the permit/license, and any subsequent sale or transfer of the wildlife or wildlife products. In addition, licensees must make these records and the corresponding inventory of wildlife or wildlife products available for our inspection at reasonable times, subject to applicable limitations of law. Any live wildlife possessed under a Service permit/license must be maintained under

humane and healthful conditions. We believe the burden associated with these recordkeeping requirements is minimal because the records already exist.

Importers and exporters must complete Form 3–177 (Declaration for Importation or Exportation of Fish or Wildlife) for all imports or exports of wildlife or wildlife products. This form provides an accurate description of the imports and exports. OMB has approved the information collection for Form 3–177 and assigned OMB Control Number 1018–0012. Normal business practices should produce records (*e.g.,* invoices or bills of sale) needed to document additional sales or transfers of the wildlife or wildlife products.

Generally, we do not require individuals and government entities to submit a report on activities conducted under the authority of a designated port exception permit. On an occasional basis, we may require entities to provide a report on activities conducted under a designated port exception permit or an import/export license.

Title of Collection: Federal Fish and Wildlife Applications and Reports—Law Enforcement; 50 CFR parts 13 and 14.

OMB Control Number: 1018–0092.

Form Number: Forms 3–200–2, 3–200–3a, 3–200–3b, 3–200–44, and 3–200–44a.

Type of Review: Extension of a currently approved collection.

Respondents/Affected Public: Individuals, private sector, and State/local/Tribal entities.

Total Estimated Number of Annual Respondents: 11,933.

Total Estimated Number of Annual Responses: 11,953.

Estimated Completion Time per Response: Varies from 15 minutes to 1 hour 15 minutes, depending on activity.

Total Estimated Number of Annual Burden Hours: 13,431.

Respondent's Obligation: Required to obtain or retain a benefit.

Frequency of Collection: On occasion for Forms 3–200–2, 3–200–3a, 3–200–3b, 3–200–44, and reporting requirements. Biannually for Form 3–200–44a.

Total Estimated Annual Nonhour Burden Cost: $1,188,700. There is a $100 fee associated with applications (Forms 3–200–2, 3–200–3a, and 3–200–3b) and a $150 fee associated with applications (Form 3–200–44) received from individuals and the private sector. There is no fee for applications from government agencies or for processing reports.

An agency may not conduct or sponsor and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number.

The authority for this action is the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

Madonna Baucum,

Information Collection Clearance Officer, U.S. Fish and Wildlife Service.

[FR Doc. 2025–17470 Filed 9–10–25; 8:45 am]

BILLING CODE 4333–15–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[A2407–014–004–065516; #O2412–014–004–047181.1]

Public Land Order No. 7965; National Defense Operating Area Withdrawal, Yuma County, AZ

AGENCY: Bureau of Land Management, Interior.

ACTION: Public land order.

SUMMARY: This Order withdraws, subject to valid existing rights, approximately 203 acres of Federal lands from settlement, sale, location, and entry under the general land laws, including the United States mining laws, mineral leasing laws, and geothermal leasing laws, for a period of 3 years for use by the Department of the Navy for border security purposes. This withdrawal also transfers administrative jurisdiction of the lands to the Department of the Navy.

DATES: This PLO takes effect on September 8, 2025.

FOR FURTHER INFORMATION CONTACT: Lucas Lucero, Southwest Border Coordinator, Arizona, telephone: 480–268–1387, email: *llucero@blm.gov.*

Individuals in the United States who are deaf, deafblind, hard of hearing, or have a speech disability may dial 711 (TTY, TDD, or TeleBraille) to access telecommunications relay services for contacting Mr. Lucero. 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:

Order

By virtue of the authority vested in the Secretary of the Interior by section 204 of the Federal Land Policy and Management Act of 1976 (FLPMA), 43 U.S.C. 1714, and in accordance with subsection 204(e) of that Act, it is determined that an emergency situation exists and that extraordinary measures must be taken to preserve values that would otherwise be lost. It is therefore ordered as follows:

1. Subject to valid existing rights, the following described Federal lands are hereby withdrawn from settlement, sale, location, and entry under the general land laws, including the United States mining laws, mineral leasing laws, and geothermal leasing laws, and jurisdiction over such lands is hereby transferred to the Department of the Navy for border security purposes.

Legal Description Parcel A

A strip of land of the uniform width of 60 feet, lying contiguous to and parallel with the international border, along the Colorado River, between the United States and Mexico according to ''MINUTE NO. 253, MAPS OF THE INTERNATIONAL BOUNDARY IN THE RIO GRANDE AND IN THE COLORADO RIVER'', dated September 23, 1976, and the associated location maps delineated in accordance with the Treaty of November 23, 1970, ''VOLUME 3—Colorado River from Yuma to San Luis'', and any successors thereto, subject to Presidential Proclamation No. 758 Stat. 2136 (May 27, 1907) (commonly known as the ''Roosevelt Reservation''), situated within the County of Yuma, State of Arizona, United States of America;

Except any portion lying within the following described parcels:

Gila and Salt River Meridian, Arizona

Fractional T. 8 S., R. 24 W.,
Sec. 28, lot 1, and the operational footprint of the Morelos Dam.
Fractional T. 9 S., R. 24 W.,
Sec. 8, lot 3, SE¼NW¼, NE¼SW¼, and SW¼SW¼;
Sec. 18, lot 17;
Sec. 19.
Fractional T. 9 S., R. 25 W.
Fractional T. 10 S., R. 25 W.,
Sec. 2;
Sec. 10;
Sec. 11;
Sec. 14, lots 8 and 9;
Sec. 15.

The area described above for Parcel A contains approximately 90 acres of Federal lands in Yuma County, derived from GIS data located in the BLM Arizona State Office.

Legal Description Parcel B

A strip of land of the uniform width of 60 feet, lying contiguous to and parallel with the international border between the United States and Mexico, currently subject to Presidential Proclamation No. 758, 35 Stat. 2136 (May 27, 1907) (commonly known as the ''Roosevelt Reservation''), located in the County of Yuma, State of Arizona, and situate in the following described locations:

Gila-Salt River Meridian, Arizona

Fractional T. 11 S., R. 23 W.,
Sec. 28;
Sec. 29;
Sec. 30;
Sec. 33;
Sec. 34;
Sec. 35;
Sec. 36.
Fractional T. 12 S., R. 23 W.,
Sec. 1.
Fractional T. 11 S., R. 24 W.,
Sec. 7, lots 8 thru 11;
Sec. 15;
Sec. 16;
Sec. 17;
Sec. 22;
Sec. 23, excepting the existing port of entry paved roadway;
Sec. 24;
Sec. 25.
Fractional T. 11 S., R. 25 W.,
Sec. 10, lot 4;
Sec. 11, lots 5 thru 8;
Sec. 12, lots 5 thru 8, excepting the existing port of entry paved roadway.

The area described above for Parcel B aggregate approximately 113 acres of Federal lands in Yuma County, derived from GIS data located in the BLM Arizona State Office.

2. This withdrawal will expire 3 years from the effective date of this Order, unless it is extended in accordance with subsections (c)(1) or (d), whichever is applicable, and (b)(1) of Section 204 of the Federal Land Policy and Managment Act of 1976, 43 U.S.C. 1714.

Doug Burgum,

Secretary of the Interior.

[FR Doc. 2025–17546 Filed 9–10–25; 8:45 am]

BILLING CODE 4331–12–P

DEPARTMENT OF THE INTERIOR

National Park Service

[N6477; NPS–WASO–NAGPRA–NPS0040985; PPWOCRADN0–PCU00RP14.R50000]

Notice of Inventory Completion: Office of the State Archaeologist, University of Iowa, Iowa City, IA

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), the Office of the State Archaeologist Bioarchaeology Program (OSA BP) 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 October 14, 2025.

ADDRESSES: Send written requests for repatriation of the human remains in this notice to Dr. Lara Noldner, Office of the State Archaeologist Bioarchaeology Program, University of Iowa, 700 S Clinton Street, Iowa City, IA 52242, email *lara-noldner@uiowa.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 OSA BP, and additional information on the determinations in this notice, including the results of consultation, can be found in the inventory or related records. The National Park Service is not responsible for the determinations in this notice.

Abstract of Information Available

Based on the information available, human remains representing at least three individuals were removed by John Meachen from the Libben Site (33OT6), a Late Woodland site dated between A.D. 800 and 1100, in Ottawa County, OH. On April 19, 1971 the human remains were transferred to Waldorf College in Forest City, Winnebago County, IA. In March 2016, Waldorf College transferred the individuals (Catalog # 3–5, 7, 9, 10–35, 37–41, 44–50) to the OSA BP after they were found in their collections. A middle-aged to old adult and two children, aged 4.5 to 6.0 years and 8.0 to 10.0 years, are represented by the human remains (Burial Project 3172). No associated funerary objects are present. No hazardous chemicals were 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 and acquisition history of the human remains in this notice.

Determinations

The OSA BP has determined that:

- The human remains described in this notice represent the physical remains of three individuals of Native American ancestry.
- There is a reasonable connection between the human remains described in this notice and the Absentee-Shawnee Tribe of Indians of Oklahoma; Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation, Wisconsin; Bay Mills Indian Community, Michigan; Chippewa Cree Indians of the Rocky Boy's Reservation, Montana; Citizen Potawatomi Nation, Oklahoma; Delaware Tribe of Indians; Eastern Shawnee Tribe of Oklahoma; Forest County Potawatomi Community, Wisconsin; Grand Traverse Band of Ottawa and Chippewa Indians, Michigan; Hannahville Indian Community, Michigan; Keweenaw Bay Indian Community, Michigan; Kickapoo Traditional Tribe of Texas; Kickapoo Tribe of Indians of the Kickapoo Reservation in Kansas; Kickapoo Tribe of Oklahoma; Lac Courte Oreilles Band of Lake Superior Chippewa Indians of Wisconsin; Lac du Flambeau Band of Lake Superior Chippewa Indians of the Lac du Flambeau Reservation of Wisconsin; Lac Vieux Desert Band of Lake Superior Chippewa Indians of Michigan; Littler River Band of Ottawa Indians, Michigan; Little Traverse Bay Bands of Odawa Indians, Michigan; Miami Tribe of Oklahoma; Minnesota Chippewa Tribe, Minnesota (Six component reservations: Bois Forte Band (Nett Lake); Fond du Lac Band; Grand Portage Band; Leech Lake Band; Mille Lacs Band; White Earth Band); Nottawaseppi Huron Band of the Potawatomi, Michigan; Ottawa Tribe of Oklahoma; Peoria Tribe of Indians of Oklahoma; Pokagon Band of Potawatomi Indians, Michigan and Indiana; Prairie Band Potawatomi Nation; Red Cliff Band of Lake Superior Chippewa Indians of Wisconsin; Saginaw Chippewa Indian Tribe of Michigan; Sault Ste. Marie Tribe of Chippewa Indians, Michigan; Seneca Nation of Indians; Seneca-Cayuga Nation; Shawnee Tribe; Sokaogon Chippewa Community, Wisconsin; St. Croix Chippewa Indians of Wisconsin; The Osage Nation; Tonawanda Band of Seneca; Turtle Mountain Band of Chippewa Indians of North Dakota; Tuscarora Nation; and the Wyandotte 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 a culturally affiliated Indian Tribe or Native Hawaiian organization.

Repatriation of the human remains in this notice to a requestor may occur on or after October 14, 2025. If competing requests for repatriation are received, the OSA BP 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 OSA BP 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 21, 2025.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2025–17491 Filed 9–10–25; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NAGPRA–40755; PPWOCRADN0–PCU00RP16.R50000]

Native American Graves Protection and Repatriation Review Committee Notice of Public Meeting

AGENCY: National Park Service, Interior.

ACTION: Meeting notice.

SUMMARY: The National Park Service is hereby giving notice that the Native American Graves Protection and Repatriation Review Committee (Committee) will hold a virtual meeting as indicated below.

DATES: The Committee will meet via video conference on Tuesday, September 30, 2025, from 2:00 p.m. until approximately 6:00 p.m. (Eastern). All meetings are open to the public.

FOR FURTHER INFORMATION CONTACT: Melanie O'Brien, Designated Federal Officer, National Native American Graves Protection and Repatriation Act Program (2253), National Park Service, telephone (202) 354–2201, or email *nagpra_info@nps.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: The Committee was established in section 8 of the Native American Graves Protection and Repatriation Act of 1990 (NAGPRA). Information about NAGPRA, the Committee, and Committee meetings is available on the National NAGPRA Program website at *https://www.nps.gov/subjects/nagpra/review-committee.htm.*

The Committee is responsible for monitoring the NAGPRA inventory and identification process; reviewing and making findings related to the identity or cultural affiliation of cultural items, or the return of such items; facilitating the resolution of disputes; compiling an inventory of culturally unidentifiable human remains that are in the possession or control of each Federal agency and museum, and recommending specific actions for developing a process for disposition of such human remains; consulting with Indian Tribes and Native Hawaiian organizations and museums on matters affecting such Tribes or organizations lying within the scope of work of the Committee; consulting with the Secretary of the Interior on the development of regulations to carry out NAGPRA; and making recommendations regarding future care of repatriated cultural items. The Committee's work is carried out during the course of meetings that are open to the public. Detailed minutes of the meeting will be available for public inspection within 90 days of the meeting.

The agenda for the meeting may include a report from the National NAGPRA Program; the discussion of the Review Committee Report to Congress; subcommittee reports and discussion; and other topics related to the Committee's responsibilities under section 8 of NAGPRA. In addition, the agenda may include presentations by Indian Tribes, Native Hawaiian organizations, museums, Federal agencies, associations, and individuals; and public comment. The agenda and materials for this meeting will be posted on or before September 15, 2025, at *https://www.nps.gov/orgs/1335/events.htm.*

To submit a request or comment, see **FOR FURTHER INFORMATION CONTACT**. Information on joining the meeting by internet or telephone will be available on the National NAGPRA Program website at *https://www.nps.gov/orgs/1335/events.htm.*

Meeting Accessibility/Special Accommodations: The meeting is open to the public. Please make requests in advance for sign language interpreter services, assistive listening devices, or other reasonable accommodations. We ask that you contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section of this notice at least seven (7) business days prior to the meeting to give the Department of the Interior 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, telephone number, email address, or other personal identifying information in your comments, 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.

Authority: 5 U.S.C. Ch. 10; 25 U.S.C. 3006.

Alma Ripps,

Chief, Office of Policy.

[FR Doc. 2025–17549 Filed 9–10–25; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[N6487; NPS–WASO–NAGPRA–NPS0040996; PPWOCRADN0–PCU00RP14.R50000]

Notice of Inventory Completion Amendment: San Diego State University, San Diego, CA

AGENCY: National Park Service, Interior.

ACTION: Notice; amendment.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), San Diego State University (SDSU) has amended a notice of inventory completion published in the **Federal Register** on December 18, 2000. This notice amends the Indian Tribes or Native Hawaiian organizations with cultural affiliation.

DATES: Repatriation of the human remains may occur on or after October 14, 2025.

ADDRESSES: Send written requests for repatriation of the human remains 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.

Amendment

This notice amends the determination of cultural affiliation published in a notice of inventory completion in the **Federal Register** (65 FR 79121), December 18, 2000. Repatriation of the human remains in the original notice of inventory completion has not occurred.

Determinations

SDSU has determined that:

• There is a connection between the human remains described in the original notice and the Campo Band of Diegueno Mission Indians of the Campo Indian Reservation, California; Capitan Grande Band of Diegueno Mission Indians of California (Barona Group of Capitan Grande Band of Mission Indians of the Barona Reservation, California; Viejas (Baron Long) Group of Capitan Grande Band of Mission Indians of the Viejas Reservation, California; 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 human remains in the original 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 the original notice to a requestor may occur on or after October 14, 2025. If competing requests for repatriation are received, SDSU 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. 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 21, 2025.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2025–17495 Filed 9–10–25; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[N6481; NPS–WASO–NAGPRA–NPS0040989; PPWOCRADN0–PCU00RP14.R50000]

Notice of Intended Repatriation: Abbe Museum, Bar Harbor, ME

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), the Abbe Museum intends to repatriate certain cultural items that meet the definition of unassociated funerary objects and that have a cultural affiliation with the Indian Tribes or Native Hawaiian organizations in this notice.

DATES: Repatriation of the cultural items in this notice may occur on or after October 14, 2025.

ADDRESSES: Send additional, written requests for repatriation of the cultural items in this notice to Aaron F. Miller, Curator of Exhibits & Collections, Abbe Museum, P.O. Box 286, Bar Harbor, ME 04609, email *aaron@abbemuseum.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 Abbe 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 16 cultural items have been requested for repatriation. The 16 unassociated funerary objects are two red ochre samples, three charcoal samples; one straw and pyrite sample; three hide and hair samples; two hair samples; one pyrite, hide, and hair sample; one limonite with fabric sample, one hair with insect pupa from pyrite, one hide and hair sample from a fire kit, and one stone plummet.

Fifteen of the unassociated funerary objects were removed from the Hartford Cemetery site in Orland, Maine. These materials were likely excavated by Warren K. Moorehead in the late 19th century and donated to the R.S. Peabody Museum in Andover, MA. The Peabody transferred the collection to the Bangor Historical Society in the first quarter of the 20th century and they were subsequently transferred to the Abbe Museum in 1997. Likely around that same time, the 15 objects were part of an unrecorded loan to a University of Maine, Orono professor. The materials were rediscovered in 2025 and returned to the Abbe that same year.

The stone plummet was donated to the Abbe Museum by Walter B. Smith in 1927 and was recorded in the original ledger book as coming from a ''Red Paint Cemetery in Blue Hill, ME''. The unassociated funerary object was returned to the Museum in 2024 as part of an undocumented loan and had been previously listed as missing from the collections.

Additional materials from these two sites were repatriated by the Abbe Museum in 2020 to the The Wabanaki Tribes of Maine Intertribal Repatriation Committee representing the Houlton Band of Maliseet Indians, Mi'kmaq Nation, Passamaquoddy Tribe, and Penobscot Nation (see **Federal Register** (85 FR 335), January 3, 2020).

Determinations

The Abbe Museum has determined that:

• The 16 unassociated funerary objects described in this notice are reasonably believed to have been placed intentionally with or near human remains, and are connected, either at the time of death or later as part of the death rite or ceremony of a Native American culture according to the Native American traditional knowledge of a lineal descendant, Indian Tribe, or Native Hawaiian organization. The unassociated funerary objects have been identified by a preponderance of the evidence as related to human remains, specific individuals, or families, or removed from a specific burial site or burial area of an individual or individuals with cultural affiliation to an Indian Tribe or Native Hawaiian organization.

• There is a connection between the cultural items described in this notice and the Houlton Band of Maliseet Indians; Mi'kmaq Nation (*previously* listed as Aroostook Band of Micmacs);

Passamaquoddy Tribe; and the Penobscot Nation.

Requests for Repatriation

Additional, written requests for repatriation of the cultural items in this notice must be sent to the authorized representative identified in this notice under **ADDRESSES**. Requests for repatriation may be submitted by any lineal descendant, Indian Tribe, or Native Hawaiian organization not identified in this notice who shows, by a preponderance of the evidence, that the requestor is a lineal descendant or a culturally affiliated Indian Tribe or Native Hawaiian organization.

Repatriation of the cultural items in this notice to a requestor may occur on or after October 14, 2025. If competing requests for repatriation are received, the Abbe 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 Abbe 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 21, 2025.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2025–17492 Filed 9–10–25; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[N6482; NPS–WASO–NAGPRA–NPS0040990; PPWOCRADN0–PCU00RP14.R50000]

Notice of Inventory Completion: Abbe Museum, Bar Harbor, ME

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), the Abbe Museum 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 October 14, 2025.

ADDRESSES: Send written requests for repatriation of the human remains in this notice to Aaron F. Miller, Curator of Exhibits & Collections, Abbe Museum, P.O. Box 286, Bar Harbor, ME 04609, email *aaron@abbemuseum.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 Abbe Museum, 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 the summer of 2024, the collection of faunal materials from the Tranquility Farm site (44.12A), Gouldsboro, ME were approved by the Abbe Museum Collections Committee to be analyzed by a team of researchers based at Boston University, Boston, MA. That analysis revealed a human tooth that had been recovered during the 2011 Abbe Museum archaeological field school at the site. Ancestral remains representing three individuals had been previously removed from the site between 1931 and 1936. Those ancestral remains were repatriated by the Abbe Museum in 1997 (see Notice of Inventory Completion published in **Federal Register** on July 20, 1994 (94–17582)) to the Wabanaki Tribes of Maine (Houlton Band of Maliseet Indians, Mi'kmaq Nation, Passamaquoddy Tribe, and Penobscot Nation).

Cultural Affiliation

Based on the information available and the results of consultation, cultural affiliation is reasonably identified by the geographical location of the human remains described in this notice.

Determinations

The Abbe Museum 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 Houlton Band of Maliseet Indians; Mi'kmaq Nation (previously listed as Aroostook Band of Micmacs); Passamaquoddy Tribe; and the Penobscot 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 October 14, 2025. If competing requests for repatriation are received, the Abbe Museum 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 Abbe Museum 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 21, 2025.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2025–17493 Filed 9–10–25; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–VRP–OPH–NPS0032219; OMB Control Number 1024–0289; PPWOVPADH0, PPMPRHS1Y.Y00000]

Agency Information Collection Activities; NPS Case and Outbreak Investigation Data Collections

AGENCY: National Park Service, Interior.

ACTION: Notice of information collection; request for comment.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, we, the National Park Service (NPS, we) are proposing to renew an information collection without change.

DATES: Interested persons are invited to submit comments, which NPS must receive on or before November 10, 2025.

ADDRESSES: Written comments and suggestions on the information

collection requirements should be submitted by the date specified above in **DATES** to *https://www.reginfo.gov/public/do/PRAMain.* Find this particular information collection by selecting ''Currently under Review—Open for Public Comments'' or by using the search function. Please provide a copy of your comments to the NPS Information Collection Clearance Officer (ADIR–ICCO), 13461 Sunrise Valley Drive, (MS–263) Reston, VA 20191 (mail); or *phadrea_ponds@nps.gov* (email). Please reference Office of Management and Budget (OMB) Control Number ''1024–0289 (EPI)'' in the subject line of your comments.

FOR FURTHER INFORMATION CONTACT: Dr. Amelia Johnson by email at *amelia_johnson@nps.gov* or by telephone at 202–236–6475; or Jennifer Proctor by email at *jennifer_proctor@nps.gov,* or by telephone at 202–513–7237. 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. You may also view the information collect request (ICR) at *https://www.reginfo.gov/public/do/PRAMain.*

SUPPLEMENTARY INFORMATION: In accordance with the Paperwork Reduction Act of 1995, (PRA, 44 U.S.C. 3501 *et seq.*) and 5 CFR 1320.8(d)(1), all information collections require approval under the PRA. We may not conduct or sponsor, and you are not required to respond to, a collection of information unless it displays a currently valid OMB control number.

As part of our continuing effort to reduce paperwork and respondent burdens, we invite the public and other Federal agencies to comment on new, proposed, revised, and continuing collections of information. This helps us assess the impact of our information collection requirements and minimize the public's reporting burden. It also helps the public understand our information collection requirements and provide the requested data in the desired format. We are especially interested in public comments addressing the following:

(1) Whether or not the collection of information is necessary for the proper performance of the functions of the agency, including whether or not the information will have practical utility;

(2) The accuracy of our estimate of the burden for this collection of information, including the validity of the methodology and assumptions used;

(3) Ways to enhance the quality, utility, and clarity of the information to be collected; and

(4) How might the NPS minimize the burden of the collection on the respondents, 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 response.

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 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.

Abstract: Authorized by the NPS Organic Act, 54 U.S.C. 100101 *et seq.,* and Public Health Service Act, 42 U.S. Code chapter 6A, the NPS Office of Public Health (OPH) is called upon by NPS leadership and others to conduct disease surveillance, respond to urgent outbreaks, and prevent illnesses within or associated with national parks. In some areas of the National Park System, State and local health departments may not have jurisdiction; even where State and local health departments do have jurisdiction, they may rely on the NPS for public health response on public lands.

This collection will allow the NPS OPH to conduct epidemiological investigations in response to public health events of concern, including:

- Incidents where three or more visitors, employees, or volunteers have similar symptoms or illnesses.
- Single reports of rare or reportable diseases.
- Incidents that result in death, cause serious injury or illness, and/or lead to overnight hospitalization.
- Wildlife encounters of concern such as bites, scratches, or attacks and wildlife deaths that do not fit known patterns.
- Any additional illnesses of public health concern.

The information collected will be used to determine the agents, sources, modes of transmission, or risk factors so that effective prevention and control measures can be implemented.

Title of Collection: NPS Case and Outbreak Investigation Data Collections.

OMB Control Number: 1024–0289.

Form Number: 10–867.

Type of Review: Extension of a currently approved collection.

Respondents/Affected Public: Individuals/households, businesses, and governments.

Total Estimated Number of Annual Respondents: 500.

Total Estimated Number of Annual Responses: 500.

Estimated Completion Time per Response: Average 18 minutes.

Total Estimated Number of Annual Burden Hours: 150 hours.

Respondent's Obligation: Voluntary.

Frequency of Collection: On occasion.

Total Estimated Annual Non hour Burden Cost: None.

The authority for this action is the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

Phadrea Ponds,

National Park Service Information Collections Clearance Officer.

[FR Doc. 2025–17482 Filed 9–10–25; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–AKR–GLBA–NPS0039159; OMB Control Number 1024–0281; 5471 PPMRSNR1Z.NN0000 PX.DGRSM0203.00.1]

Agency Information Collection Activities: National Park Service Bear Sighting and Encounter Reports

AGENCY: National Park Service, Interior.

ACTION: Notice of information collection; request for comment.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, we, the National Park Service (NPS, we) are proposing to revise a currently approved information collection.

DATES: Interested persons are invited to submit comments on or before October 14, 2025.

ADDRESSES: Written comments and suggestions on the information collection requirements should be submitted by the date specified above in **DATES** to *http://www.reginfo.gov/public/do/PRAMain.* Find this particular information collection by selecting ''Currently under Review—Open for Public Comments'' or by using the search function. Please provide a copy of your comments to Phadrea Ponds, NPS Information Collection Clearance Officer (ADIR–ICCO), 13461 Sunrise Valley Drive, (MS–263) Herndon, VA

20191 (mail); or *phadrea_ponds@nps.gov* (email). Please reference Office of Management and Budget (OMB) Control Number ''1024–0281'' in the subject line of your comments.

FOR FURTHER INFORMATION CONTACT: Ryan Williamson, Wildlife Biologist, Great Smoky Mountains National Park; at *ryan_williamson@nps.gov* (email); or 865–436–1248 (telephone). Or contact Tania Lewis, Wildlife Biologist, Glacier Bay National Park & Preserve; at *tania_lewis@nps.gov* (email); or 907–697–2668 (telephone). Please reference OMB Control Number 1024–0281 in the subject line of your comments. 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: In accordance with the Paperwork Reduction Act of 1995 (PRA, 44 U.S.C. 3501 *et seq.*) and 5 CFR 1320.8(d)(1), we provide the public and other Federal agencies with an opportunity to comment on new, proposed, revised, and continuing collections of information. This helps us assess the impact of our information collection requirements and minimize the public's reporting burden. It also helps the public understand our information collection requirements and provide the requested data in the desired format.

A **Federal Register** notice with a 60-day public comment period soliciting comments on this collection of information was published on January 26, 2024 (89 FR 5260). No comments were received.

As part of our continuing effort to reduce paperwork and respondent burdens, we invite the public and other Federal agencies to comment on new, proposed, revised, and continuing collections of information. This helps us assess the impact of our information collection requirements and minimize the public's reporting burden. It also helps the public understand our information collection requirements and provide the requested data in the desired format. We are especially interested in public comments addressing the following:

(1) Whether or not the collection of information is necessary for the proper performance of the functions of the agency, including whether or not the information will have practical utility.

(2) The accuracy of our estimate of the burden for this collection of information, including the validity of the methodology and assumptions used.

(3) Ways to enhance the quality, utility, and clarity of the information to be collected.

(4) How might the agency 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 response.

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 information collection request. 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.

Abstract: The National Park Service Organic Act, 54 U.S.C. 100101(a) *et seq.,* requires that the NPS preserve national parks for the enjoyment, education, and inspiration of this and future generations. In order to monitor resources and bear management in areas managed by the NPS and to enhance the safety of future visitors, we are requesting to revise OMB Control Number 1024–0281 to include a new system-wide form for bear sightings and interactions by visitors in national parks.

Bear sighting data provide park managers with important information used to determine bear movements, habitat use, and species distribution. This information is important for backcountry management and planning, field research planning, and educational outreach for visitors. Bear-human interaction data is vital to understanding bear responses to people, detecting changes in bear behavior, and identifying areas of high bear-human conflict.

Obtaining immediate information on bear-human conflicts allows managers to respond promptly to mitigate further conflicts. Proactive mitigation includes notifying other backcountry users, issuing advisories or recommendations, or issuing closures to prevent further conflicts and maintain public safety.

Glacier Bay National Park and Preserve currently uses Form 10–405 ''Tatshenshini—Alsek River Bear Report and Form'' and Form 10–406 ''Bear Information Management Report'' to record bear sightings when a bear enters a camp, approaches the group, damages gear, obtains food, and/or acts in an aggressive or threatening manner towards the group. We are requesting to add a new system-wide form to this collection. Proposed form 10–407 ''National Park Service Bear Sighting and Encounter Reports'' will be available in any areas managed by the NPS where bear sightings may occur.

Title of Collection: National Park Service Bear Sighting and Encounter Reports.

OMB Control Number: 1024–0281.

Form Number: 10–405, ''Tatshenshini—Alsek River Bear Report,'' 10–406, ''Bear Information Management Report'', and 10–407 ''National Park Service Bear Sighting and Encounter Reports.''

Type of Review: Revision of a currently approved collection.

Description of Respondents: General Public.

Total Estimated Number of Annual Respondents: 532.

Total Estimated Number of Annual Responses: 532.

Estimated Completion Time per Response: 5 to 7 Minutes.

Total Estimated Number of Annual Burden Hours: 60 hours.

Respondent's Obligation: Voluntary.

Frequency of Collection: On occasion.

Total Estimated Annual Nonhour Burden Cost: None.

An agency may not conduct or sponsor and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number. The authority for this action is the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

Phadrea Ponds,

Information Collection Clearance Officer, National Park Service.

[FR Doc. 2025–17483 Filed 9–10–25; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[N6486; NPS–WASO–NAGPRA–NPS0040994; PPWOCRADN0–PCU00RP14.R50000]

Notice of Intended Disposition: U.S. Army Corps of Engineers, Omaha District, Pierre, SD

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), the U.S. Army Corps of Engineers intends to carry out the disposition of human remains removed from Federal or Tribal lands to the lineal descendants, Indian Tribe, or Native Hawaiian organization with priority for disposition in this notice.

DATES: Disposition of the human remains in this notice may occur on or after October 14, 2025. If no claim for disposition is received by September 11, 2026, the human remains in this notice will become unclaimed human remains.

ADDRESSES: Send written claims for disposition of the human remains in this notice to Megan Ernst, U.S. Army Corps of Engineers, Omaha District, 28563 Powerhouse Road, Pierre, SD 57501, email *megan.m.ernst@usace.army.mil.*

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 U.S. Army Corps of Engineers. The National Park Service is not responsible for the identifications in this notice.

Abstract of Information Available

Based on the information available, human remains representing, at least, one individual were identified on U.S. Army Corps of Engineers lands in Walworth County, South Dakota. No funerary objects, sacred objects, associated funerary objects or objects of cultural patrimony were located.

Determinations

The U.S. Army Corps of Engineers has determined that:

- The human remains described in this notice represent the physical remains of one individual of Native American ancestry.
- The Three Affiliated Tribes of the Fort Berthold Reservation, North Dakota has priority for disposition of the human remains described in this notice.

Claims for Disposition

Written claims for disposition of the human remains in this notice must be sent to the appropriate official identified in this notice under **ADDRESSES**. If no claim for disposition is received by September 11, 2026, the human remains in this notice will become unclaimed human remains. Claims for disposition may be submitted by:

1. Any lineal descendant, Indian Tribe, or Native Hawaiian organization identified in this notice.

2. Any lineal descendant, Indian Tribe, or Native Hawaiian organization not identified in this notice who shows, by a preponderance of the evidence, that they have priority for disposition.

Disposition of the human remains in this notice may occur on or after October 14, 2025. If competing claims for disposition are received, the U.S. Army Corps of Engineers must determine the most appropriate claimant prior to disposition. Requests for joint disposition of the human remains are considered a single request and not competing requests. The U.S. Army Corps of Engineers is responsible for sending a copy of this notice to the lineal descendants, Indian Tribes, and Native Hawaiian organizations identified in this notice and to any other consulting parties.

Authority: Native American Graves Protection and Repatriation Act, 25 U.S.C. 3002, and the implementing regulations, 43 CFR 10.7.

Dated: August 21, 2025.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2025–17494 Filed 9–10–25; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[N6476; NPS–WASO–NAGPRA–NPS0040984; PPWOCRADN0–PCU00RP14.R50000]

Notice of Inventory Completion: Museum of Indian Arts and Culture, Santa Fe, NM

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), the Museum of Indian Arts and Culture (MIAC) 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 October 14, 2025.

ADDRESSES: Send written requests for repatriation of the associated funerary objects in this notice to Diana Sherman, Museum of Indian Arts and Culture, 7 Old Cochiti Road, Santa Fe, NM 87507, email *diana.sherman@dca.nm.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 Museum of Indian Arts and Culture, 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 have been identified as part of the collection held at MIAC described below. The 550 lots of associated funerary objects include ornaments, groundstone, vessels, faunal remains, stone tools, pipes, unidentified materials, sherds, and lithics. This material was collected from two different sites, LA 190 (Cameron Creek) and LA 19071 (Warm Springs), both in Grant County, NM, and both estimated by archaeologists to date to the Mimbres Classic period (ca. A.D. 1000–1150). Mimbres sites may be affiliated with any of the 19 Pueblos, three Apache Nations, the Hopi Tribe, the Zuni Tribe, or Navajo Nation, based on oral histories, geographical location, archaeological evidence, and the history of repatriation from similar sites.

The material from Cameron Creek was collected between 1923 and 1928 during excavations conducted jointly by a number of institutions, including the School of American Research (now the School for Advanced Research, SAR), the University of Minnesota, the University of New Mexico, and the Museum of New Mexico (of which modern-day MIAC is a part), and led by Wesley Bradfield. The objects recovered from this site were split amongst the participating institutions. Many of the ancestral remains went to the University of Minnesota, while many funerary items and especially whole vessels went to what is now MIAC. Five vessels originally in MIAC's holdings were transferred to the University of Minnesota to be reunited with ancestors in their care in 2024. The remaining Cameron Creek collection is comprised of a total of 513 records, some of which are cataloged together and so will not total the 513 records. The records are: 12 lots of beads, one copper bell, 53 lots of bracelets, one shell ornament, four tinklers, one shell ring, 48 lots of pendants and necklaces, one parrot skeleton, one macaw skeleton, three lots of faunal remains, 225 bowls, one pinch pot, one canteen, 17 pitchers, 46 jars, one plate, nine seed jars, 10 worked sherds, 30 lots of sherds, one strainer, one scoop, two hoes/axes, four choppers, two knives, 18 lithic tools,

two stone palettes, three smoking pipes, one ball (material unidentified), three unidentified stone objects, two unidentified ceramic objects, one mixed lot of unworked stone, turquoise, and flakes, and 14 mixed lots of sherds (some worked), whorls, groundstone, lithics, and a pendant. Nine of these items are missing: five bowls, a jar, a necklace, a box of mixed sherds and lithics, and the parrot skeleton. The museum continues to search for these missing items. No item is known to have been treated with hazardous substances.

The Warm Springs material was transferred to MIAC by the School of Advanced Research in the 1970s. Records indicate the items were purchased by a Mrs. A.M. Thompson from various sources in the first part of the 20th century and donated to SAR. This collection contains a total of 37 vessels: 31 bowls, five jars, and a plate. No item is known to have been treated with hazardous substances.

Cultural Affiliation

Based on the information available and the results of consultation, cultural affiliation is reasonably identified by the geographical location or acquisition history of the associated funerary objects described in this notice.

Determinations

The Museum of Indian Arts and Culture has determined that:

- The 550 lots of items 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 Hopi Tribe of Arizona; Mescalero Apache Tribe of the Mescalero Reservation, New Mexico; Ohkay Owingeh, New Mexico; Pueblo of Acoma, New Mexico; Pueblo of Cochiti, New Mexico; Pueblo of Isleta, New Mexico; Pueblo of Jemez, New Mexico; Pueblo of Laguna, New Mexico; Pueblo of Nambe, New Mexico; Pueblo of Picuris, New Mexico; Pueblo of Pojoaque, New Mexico; Pueblo of San Felipe, New Mexico; Pueblo of San Ildefonso, New Mexico; Pueblo of Sandia, New Mexico; Pueblo of Santa Ana, New Mexico; Pueblo of Santa Clara, New Mexico; Pueblo of Taos, New Mexico; Pueblo of Tesuque, New Mexico; Pueblo of Zia, New Mexico; Santo Domingo Pueblo; Ysleta del Sur Pueblo; and the Zuni Tribe of the Zuni Reservation, New Mexico.

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 October 14, 2025. If competing requests for repatriation are received, the Museum of Indian Arts and Culture must determine the most appropriate requestor prior to repatriation. Requests for joint repatriation of the associated funerary objects are considered a single request and not competing requests. The Museum of Indian Arts and Culture 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 21, 2025.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2025–17490 Filed 9–10–25; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[N6475; NPS–WASO–NAGPRA–NPS0040983; PPWOCRADN0–PCU00RP14.R50000]

Notice of Inventory Completion: South Dakota State Historical Society Archaeological Research Center, Rapid City, SD, and U.S. Army Corps of Engineers, Omaha District, Omaha, NE

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), the South Dakota State Historical Society Archaeological Research Center (ARC) and United States Army Corps of Engineers, Omaha District have 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 October 14, 2025.

ADDRESSES: Send written requests for repatriation of the human remains in this notice to Dustin Lloyd, South Dakota State Historical Society Archaeological Research Center, P.O. Box 1257, Rapid City, SD 57709, email *Dustin.Lloyd@state.sd.us,* and Livia Taylor, U.S. Army Corps of Engineers, Omaha District, ATTN: CENWO–PMA–D, 1616 Capitol Avenue, Omaha, NE 68102, email *Livia.A.Taylor@usace.army.mil.*

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 ARC and USACE, 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 minimum, one individual was removed from a site in Walworth County, South Dakota. No known associated funerary objects are present. Based upon a preponderance of the evidence, including Tribal oral history, archeological and geographical information, and previous repatriations from this site, the Ancestor described in this Notice is consistent with cultural affiliation of the Three Affiliated Tribes of the Fort Berthold Reservation, North Dakota. No known substances were used to treat the Ancestor described in this Notice.

Cultural Affiliation

Based on the information available and the results of consultation, cultural affiliation is reasonably identified by the geographical location, Tribal oral histories, and archaeological evidence of the human remains described in this notice.

Determinations

The ARC and USACE have 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 Three Affiliated Tribes of the Fort Berthold Reservation, North Dakota.

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 October 14, 2025. If competing requests for repatriation are received, the ARC and USACE 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 ARC and USACE are 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 21, 2025.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2025–17489 Filed 9–10–25; 8:45 am]

BILLING CODE 4312–52–P

INTERNATIONAL TRADE COMMISSION

[Investigation Nos. 701–TA–775 and 731–TA–1759–1760 (Preliminary)]

Freight Rail Couplers and Parts Thereof From Czech Republic and India; Determinations

On the basis of the record [1] developed in the subject investigations, the United States International Trade Commission (''Commission'') determines, pursuant to the Tariff Act of 1930 (''the Act''), that there is a reasonable indication that an industry in the United States is threatened with material injury by reason of imports of freight rail couplers and parts thereof (''freight rail couplers'') from Czech Republic and India, provided for in subheading 8607.30.10 of the Harmonized Tariff Schedule of the United States, that are alleged to be sold in the United States at less than fair value (''LTFV'') and imports of the subject merchandise from India that are alleged to be subsidized by the government of India.[2]

Commencement of Final Phase Investigations

Pursuant to section 207.18 of the Commission's rules, the Commission also gives notice of the commencement of the final phase of its investigations. The Commission will issue a final phase notice of scheduling, which will be published in the **Federal Register** as provided in § 207.21 of the Commission's rules, upon notice from the U.S. Department of Commerce (''Commerce'') of affirmative preliminary determinations in the investigations under §§ 703(b) or 733(b) of the Act, or, if the preliminary determinations are negative, upon notice of affirmative final determinations in those investigations under §§ 705(a) or 735(a) of the Act. Parties that filed entries of appearance in the preliminary phase of the investigations need not enter a separate appearance for the final phase of the investigations. Any other party may file an entry of appearance for the final phase of the investigations after publication of the final phase notice of scheduling. Industrial users, and, if the merchandise under investigation is sold at the retail level, representative consumer organizations have the right to appear as parties in Commission antidumping and countervailing duty investigations. The Secretary will prepare a public service list containing the names and addresses of all persons, or their representatives, who are parties to the investigations. As provided in section 207.20 of the Commission's rules, the Director of the Office of Investigations will circulate draft questionnaires for the final phase of the investigations to parties to the investigations, placing copies on the Commission's Electronic Document Information System (EDIS, *https://edis.usitc.gov*), for comment.

Background

On July 23, 2025, the Coalition of Freight Coupler Producers, comprised of McConway & Torley LLC, Pittsburgh, Pennsylvania, and the United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial and Service Workers International Union, Pittsburgh, Pennsylvania, filed petitions with the Commission and Commerce, alleging that an industry in the United States is materially injured or threatened with material injury by reason of subsidized imports of freight rail couplers from India and LTFV imports of freight rail couplers from Czech Republic and India. Accordingly, effective July 23, 2025, the Commission instituted countervailing duty investigation Nos. 701–TA–775 and antidumping duty investigation Nos. 731–TA–1759–1760 (Preliminary).

Notice of the institution of the Commission's investigations and of a public conference to be held in connection therewith was given by posting copies of the notice in the Office of the Secretary, U.S. International Trade Commission, Washington, DC, and by publishing the notice in the **Federal Register** of July 29, 2025 (90 FR 35734). The Commission conducted its conference on August 13, 2025. All persons who requested the opportunity were permitted to participate.

The Commission made these determinations pursuant to §§ 703(a) and 733(a) of the Act (19 U.S.C. 1671b(a) and 1673b(a)). It completed and filed its determinations in these investigations on September 8, 2025. The views of the Commission are contained in USITC Publication 5670 (September 2025), entitled *Freight Rail Couplers and Parts Thereof from Czech Republic and India: Investigation Nos. 701–TA–775 and 731–TA–1759–1760 (Preliminary).*

By order of the Commission.

Issued: September 8, 2025.

Sharon Bellamy,

Supervisory and Hearings and Information Officer.

[FR Doc. 2025–17569 Filed 9–10–25; 8:45 am]

BILLING CODE 7020–02–P

[1] The record is defined in § 207.2(f) of the Commission's Rules of Practice and Procedure (19 CFR 207.2(f)).

[2] 90 FR 40055 and 90 FR 40059 (August 18, 2025).

INTERNATIONAL TRADE COMMISSION

[Investigation Nos. 701–TA–754 and 731–TA–1732 (Final])

Temporary Steel Fencing From China; Scheduling of the Final Phase of Countervailing Duty and Antidumping Duty Investigations

AGENCY: United States International Trade Commission.

ACTION: Notice.

SUMMARY: The Commission hereby gives notice of the scheduling of the final phase of antidumping and countervailing duty investigation Nos. 701–TA–754 and 731–TA–1732 (Final) pursuant to the Tariff Act of 1930 to determine whether an industry in the United States is materially injured or threatened with material injury, or the establishment of an industry in the United States is materially retarded, by reason of imports of temporary steel fencing from China, provided for in subheading 7308.90.95 of the Harmonized Tariff Schedule of the United States, preliminarily determined by the Department of Commerce (''Commerce'') to be subsidized and sold at less-than-fair-value.

DATES: August 19, 2025.

FOR FURTHER INFORMATION CONTACT: Kristina Lara ((202) 205–3386), Office of Investigations, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436. Hearing-impaired persons can obtain information on this matter by contacting the Commission's TDD terminal on 202–205–1810. Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at 202–205–2000. General information concerning the Commission may also be obtained by accessing its internet server (*https://www.usitc.gov*). The public record for these investigations may be viewed on the Commission's electronic docket (EDIS) at *https://edis.usitc.gov*.

SUPPLEMENTARY INFORMATION:

Scope.—For purposes of these investigations, Commerce has defined the subject merchandise as ''The merchandise subject to this investigation is temporary steel fencing. Temporary steel fencing consists of temporary steel fence panels and temporary steel fence stands. Temporary steel fence panels, when assembled with temporary steel fence stands or other types of stands outside of the scope, with each other, or with posts, create a free-standing fence. Temporary steel fence panels are covered by the scope regardless of whether they attach to a stand or the type of stand to which they connect.

Temporary steel fence panels have a welded frame of steel tubing and an interior consisting of chain link, steel wire mesh, or other steel materials that are not more than ten millimeters in actual diameter or width. The steel tubing may surround all edges of the temporary steel fence panel or only be attached along two parallel sides of the panel. All temporary steel fence panels with at least two framed sides are covered by the scope, regardless of the number of edges framed with steel tubing.

Temporary steel fence panels are typically between 10 and 12 feet long and six to eight feet high, though all temporary steel fence panels are covered by the scope regardless of dimension or weight as long as a single panel meets each of the three following criteria: (1) it has over seven and a half square feet in actual surface area; (2) it weighs more than four pounds; and (3) it weighs less than 1.92 pounds per square foot. Temporary steel fence panels may be square, rectangular, or have rounded edges, and may or may not have gates, doors, wheels, or barbed wire or other features, though all temporary steel fence panels are covered by the scope regardless of shape and other features. Temporary steel fence panels may have one or more horizontal, vertical, or diagonal reinforcement tubes made of steel welded to the inside frame, though all temporary steel fence panels are covered by the scope regardless of the existence, number, or type of reinforcement tubes attached to the panel. Temporary steel fence panels may have extensions, pins, tubes, or holes at the bottom of the panel, but all temporary steel fence panels are covered regardless of the existence of such features.

Steel fence stands are shapes made of steel that stand flat on the ground and have one or two open tubes or solid pins into which temporary steel fence panels are inserted to stand erect. The steel fence stand may be made of welded steel tubing or may be a flat steel plate with one or two tubes or pins welded onto the plate for connecting the panels.

Temporary steel fencing is covered by the scope regardless of coating, painting, or other finish. Both temporary steel fence panels and temporary steel fence stands are covered by the scope, whether imported assembled or unassembled, and whether imported together or separately.

Subject merchandise includes material matching the above description that has been finished, assembled, or packaged in a third country, including by coating, painting, assembling, attaching to, or packaging with another product, or any other finishing, assembly, or packaging operation that would not otherwise remove the merchandise from the scope of the investigation if performed in the country of manufacture of the temporary steel fencing.

Temporary steel fencing is included in the scope of this investigation whether or not imported attached to, or in conjunction with, other parts and accessories such as posts, hooks, rings, brackets, couplers, clips, connectors, handles, brackets, or latches. If temporary steel fencing is imported attached to, or in conjunction with, such non-subject merchandise, only the temporary steel fencing is included in the scope.

Excluded from the scope of this investigation are decorative steel fence panels. Decorative steel fence panels are steel fence panels that have all of the following characteristics: (i) the panel's long ends are no more than 48 inches; (ii) the panel's short ends are no more than 38 inches; (iii) the panel weighs 7 pounds or less; (iv) the panel is framed on all sides with steel tubing no wider than 10 mm; and (v) the panel's the interior contains a decorative pattern (meaning a pattern other than square, rectangular, diamond, or hexagonal meshing) accounting for at least 5 percent of the area within the frame.''

Background.—The final phase of these investigations is being scheduled pursuant to sections 705(b) and 731(b) of the Tariff Act of 1930 (19 U.S.C. 1671d(b) and 1673d(b)), as a result of affirmative preliminary determinations by Commerce that certain benefits which constitute subsidies within the meaning of § 703 of the Act (19 U.S.C. 1671b) are being provided to manufacturers, producers, or exporters in China of temporary steel fencing, and that such products are being sold in the United States at less than fair value within the meaning of § 733 of the Act (19 U.S.C. 1673b). The investigations were requested in petitions filed on January 15, 2025, by ZND US Inc, Statesville, North Carolina.

For further information concerning the conduct of this phase of the investigations, hearing procedures, and rules of general application, consult the Commission's Rules of Practice and Procedure, part 201, subparts A and B (19 CFR part 201), and part 207, subparts A and C (19 CFR part 207).

Participation in the investigations and public service list.—Persons, including industrial users of the subject

merchandise and, if the merchandise is sold at the retail level, representative consumer organizations, wishing to participate in the final phase of these investigations as parties must file an entry of appearance with the Secretary to the Commission, as provided in § 201.11 of the Commission's rules, no later than 21 days prior to the hearing date specified in this notice. A party that filed a notice of appearance during the preliminary phase of the investigations need not file an additional notice of appearance during this final phase. The Secretary will maintain a public service list containing the names and addresses of all persons, or their representatives, who are parties to the investigations.

Please note the Secretary's Office will accept only electronic filings during this time. Filings must be made through the Commission's Electronic Document Information System (EDIS, *https://edis.usitc.gov*). No in-person paper-based filings or paper copies of any electronic filings will be accepted until further notice.

Limited disclosure of business proprietary information (BPI) under an administrative protective order (APO) and BPI service list.—Pursuant to § 207.7(a) of the Commission's rules, the Secretary will make BPI gathered in the final phase of these investigations available to authorized applicants under the APO issued in the investigations, provided that the application is made no later than 21 days prior to the hearing date specified in this notice. Authorized applicants must represent interested parties, as defined by 19 U.S.C. 1677(9), who are parties to the investigations. A party granted access to BPI in the preliminary phase of the investigations need not reapply for such access. A separate service list will be maintained by the Secretary for those parties authorized to receive BPI under the APO.

Staff report.—The prehearing staff report in the final phase of these investigations will be placed in the nonpublic record on December 1, 2025, and a public version will be issued thereafter, pursuant to § 207.22 of the Commission's rules.

Hearing.—The Commission will hold a hearing in connection with the final phase of these investigations beginning at 9:30 a.m. on Thursday, December 18, 2025. Requests to appear at the hearing should be filed in writing with the Secretary to the Commission on or before Thursday, December 11, 2025. Any requests to appear as a witness via videoconference must be included with your request to appear. Requests to appear via videoconference must include a statement explaining why the witness cannot appear in person; the Chairman, or other person designated to conduct the investigation, may in their discretion for good cause shown, grant such a request. Requests to appear as a remote witness due to illness or a positive COVID–19 test result may be submitted by 3:00 p.m. the business day prior to the hearing. Further information about participation in the hearing will be posted on the Commission's website at *https://www.usitc.gov/calendarpad/calendar.html.*

A nonparty who has testimony that may aid the Commission's deliberations may request permission to present a short statement at the hearing. All parties and nonparties desiring to appear at the hearing and make oral presentations should attend a prehearing conference, if deemed necessary, to be held at 9:30 a.m. on Tuesday, December 16, 2025. Parties shall file and serve written testimony and presentation slides in connection with their presentation at the hearing by no later than noon on December 17, 2025. Oral testimony and written materials to be submitted at the public hearing are governed by sections 201.6(b)(2), 201.13(f), and 207.24 of the Commission's rules. Parties must submit any request to present a portion of their hearing testimony *in camera* no later than 7 business days prior to the date of the hearing.

Written submissions.—Each party who is an interested party shall submit a prehearing brief to the Commission. Prehearing briefs must conform with the provisions of § 207.23 of the Commission's rules; the deadline for filing is December 8, 2025. Parties shall also file written testimony in connection with their presentation at the hearing, and posthearing briefs, which must conform with the provisions of § 207.25 of the Commission's rules. The deadline for filing posthearing briefs is January 5, 2026. In addition, any person who has not entered an appearance as a party to the investigations may submit a written statement of information pertinent to the subject of the investigations, including statements of support or opposition to the petition, on or before January 5, 2026. On January 22, 2026, the Commission will make available to parties all information on which they have not had an opportunity to comment. Parties may submit final comments on this information on or before January 26, 2026, but such final comments must not contain new factual information and must otherwise comply with § 207.30 of the Commission's rules. All written submissions must conform with the provisions of § 201.8 of the Commission's rules; any submissions that contain BPI must also conform with the requirements of §§ 201.6, 207.3, and 207.7 of the Commission's rules. The Commission's *Handbook on Filing Procedures,* available on the Commission's website at *https://www.usitc.gov/documents/handbook_on_filing_procedures.pdf,* elaborates upon the Commission's procedures with respect to filings.

Additional written submissions to the Commission, including requests pursuant to § 201.12 of the Commission's rules, shall not be accepted unless good cause is shown for accepting such submissions, or unless the submission is pursuant to a specific request by a Commissioner or Commission staff.

In accordance with §§ 201.16(c) and 207.3 of the Commission's rules, each document filed by a party to the investigations must be served on all other parties to the investigations (as identified by either the public or BPI service list), and a certificate of service must be timely filed. The Secretary will not accept a document for filing without a certificate of service.

Authority: These investigations are being conducted under authority of title VII of the Tariff Act of 1930; this notice is published pursuant to § 207.21 of the Commission's rules.

By order of the Commission.

Issued: September 8, 2025.

Sharon Bellamy,

Supervisory Hearings and Information Officer.

[FR Doc. 2025–17570 Filed 9–10–25; 8:45 am]

BILLING CODE 7020–02–P

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

Chanelle D. Remien, DVM; Decision and Order

On March 1, 2021, the Drug Enforcement Administration (DEA or Government) issued an Order to Show Cause (OSC) to Chanelle D. Remien, DVM, of East Wenatchee, Washington (Applicant). Request for Final Agency Action (RFAA), Exhibit (RFAAX) 2, at 1, 3. The OSC proposed the denial of Applicant's pending application for DEA Certificate of Registration No. W17076337C,[1] alleging that Applicant's application should be denied because Applicant is ''currently without

[1] The OSC does not specify the Certificate of Registration number for Applicant's application, but the Government's RFAA references the number throughout.

authority to handle controlled substances in Washington, the state in which [she has] applied to be registered with DEA.'' *Id.* at 2 (citing 21 U.S.C. 824(a)(3)).

The OSC notified Applicant of her right to file a written request for hearing, and that if she failed to file such a request, she would be deemed to have waived her right to a hearing and be in default. *Id.* at 2 (citing 21 CFR 1301.43). Here, Applicant did not request a hearing. RFAA, at 2.[2] ''A default, unless excused, shall be deemed to constitute a waiver of the registrant's/applicant's right to a hearing and an admission of the factual allegations of the [OSC].'' 21 CFR 1301.43(e).

Further, ''[i]n the event that a registrant . . . is deemed to be in default . . . DEA may then file a request for final agency action with the Administrator, along with a record to support its request. In such circumstances, the Administrator may enter a default final order pursuant to [21 CFR] 1316.67.'' *Id.* 1301.43(f)(1). Here, the Government has requested final agency action based on Applicant's default pursuant to 21 CFR 1301.43(d), (e), 1301.46. RFAA, at 4; *see also* 21 CFR 1316.67.

Findings of Fact

The Agency finds that, in light of Applicant's default, the factual allegations in the OSC are deemed admitted. According to the OSC, on November 25, 2020, the Washington State Department of Health, Veterinary Board of Governors suspended Applicant's Washington veterinary license. RFAAX 2, at 2.

According to Washington online records, of which the Agency takes official notice,[3] Applicant's Washington veterinary license remains suspended. Washington State Department of Health Provider Credential Search, *https://fortress.wa.gov/doh/providercredentialsearch* (last visited date of signature of this Order). Accordingly, the Agency finds that Applicant is not licensed to practice veterinary medicine in Washington, the state in which she has applied to be registered with DEA.[4]

Discussion

Pursuant to 21 U.S.C. 824(a)(3), the Attorney General may suspend or revoke a registration issued under 21 U.S.C. 823 ''upon a finding that the registrant . . . has had his State license or registration suspended . . . [or] revoked . . . by competent State authority and is no longer authorized by State law to engage in the . . . dispensing of controlled substances.'' With respect to a practitioner, DEA has also long held that the possession of authority to dispense controlled substances under the laws of the state in which a practitioner engages in professional practice is a fundamental condition for obtaining and maintaining a practitioner's registration. *Gonzales* v. *Oregon,* 546 U.S. 243, 270 (2006) (''The Attorney General can register a physician to dispense controlled substances 'if the applicant is authorized to dispense . . . controlled substances under the laws of the State in which he practices.' . . . The very definition of a 'practitioner' eligible to prescribe includes physicians 'licensed, registered, or otherwise permitted, by the United States or the jurisdiction in which he practices' to dispense controlled substances. § 802(21).''). The Agency has applied these principles consistently. *See, e.g., James L. Hooper, M.D.,* 76 FR 71,371, 71,372 (2011), *pet. for rev. denied,* 481 F. App'x 826 (4th Cir. 2012); *Frederick Marsh Blanton, M.D.,* 43 FR 27,616, 27,617 (1978).[5]

According to Washington statute, ''[a] practitioner may dispense or deliver a controlled substance to or for an individual or animal only for medical treatment or authorized research in the ordinary course of that practitioner's profession.'' Wash. Rev. Code § 69.50.308(j) (2025). Further, a ''prescription'' means ''an order for controlled substances issued by a practitioner duly authorized by law or rule in the state of Washington to prescribe controlled substances within the scope of his or her professional practice for a legitimate medical purpose.'' *Id.* § 69.50.101(41). Finally, a ''practitioner'' as defined by Washington statute includes ''[a] veterinarian licensed to practice veterinary medicine.'' *Id.* § 69.50.101(40)(c).

Here, the undisputed evidence in the record is that Applicant lacks authority to practice veterinary medicine in Washington. As already discussed, an individual must be a licensed practitioner to dispense a controlled substance in Washington. Thus, because Applicant lacks authority to practice veterinary medicine in Washington and, therefore, is not authorized to handle controlled substances in Washington, Applicant is not eligible to obtain or maintain a DEA registration in Washington. Accordingly, the Agency will order that Applicant's application for DEA registration be denied.

Order

Pursuant to 28 CFR 0.100(b) and the authority vested in me by 21 U.S.C. 823(g)(1), I hereby deny the pending application for a Certificate of Registration, Control No. W17076337C, submitted by Chanelle D. Remien, DVM, as well as any other pending application of Chanelle D. Remien, DVM, for additional registration in Washington. This Order is effective October 14. 2025.

Signing Authority

This document of the Drug Enforcement Administration was signed on September 4, 2025, by Administrator Terrance Cole. That document with the original signature and date is

[2] Based on the Government's submissions in its RFAA dated March 24, 2025, the Agency finds that service of the OSC on Applicant was adequate. The included declaration from a DEA Diversion Investigator (DI 2) indicates that on March 11, 2021, the DI previously assigned to this matter mailed a copy of the OSC to Applicant's registered address through FedEx. RFAAX 3, at 3; *see also* RFAAX 3, Attachment E. On August 26, 2024, DI 2 contacted FedEx to ensure service of the OSC. RFAAX 3, at 3. DI 2 states in the Declaration that a FedEx customer service representative told DI 2 on this date that FedEx had a ''[s]ignature release on file,'' thus confirming delivery of the OSC to Applicant to her registered address. *Id.* at 4; *see also id.,* Attachment H.

[3] Under the Administrative Procedure Act, an agency ''may take official notice of facts at any stage in a proceeding—even in the final decision.'' United States Department of Justice, Attorney General's Manual on the Administrative Procedure Act 80 (1947) (Wm. W. Gaunt & Sons, Inc., Reprint 1979).

[4] Pursuant to 5 U.S.C. 556(e), ''[w]hen an agency decision rests on official notice of a material fact not appearing in the evidence in the record, a party is entitled, on timely request, to an opportunity to show the contrary.'' The material fact here is that Applicant, as of the date of this decision, is not licensed to practice veterinary medicine in Washington. Accordingly, Applicant may dispute the Agency's finding by filing a properly supported motion for reconsideration of findings of fact within fifteen calendar days of the date of this Order. Any such motion and response shall be filed and served by email to the other party and to the DEA Office of the Administrator, Drug Enforcement Administration, at *dea.addo.attorneys@dea.gov.*

[5] This rule derives from the text of two provisions of the Controlled Substances Act (CSA). First, Congress defined the term ''practitioner'' to mean ''a physician . . . or other person licensed, registered, or otherwise permitted, by . . . the jurisdiction in which he practices . . . . to distribute, dispense, . . . [or] administer . . . a controlled substance in the course of professional practice.'' 21 U.S.C. 802(21). Second, in setting the requirements for obtaining a practitioner's registration, Congress directed that ''[t]he Attorney General shall register practitioners . . . if the applicant is authorized to dispense . . . controlled substances under the laws of the State in which he practices.'' 21 U.S.C. 823(g)(1). Because Congress has clearly mandated that a practitioner possess state authority in order to be deemed a practitioner under the CSA, DEA has held repeatedly that revocation of a practitioner's registration is the appropriate sanction whenever he is no longer authorized to dispense controlled substances under the laws of the state in which he practices. *See, e.g., James L. Hooper, M.D.,* 76 FR at 71,371–72; *Sheran Arden Yeates, M.D.,* 71 FR 39,130, 39,131 (2006); *Dominick A. Ricci, M.D.,* 58 FR 51,104, 51,105 (1993); *Bobby Watts, M.D.,* 53 FR 11,919, 11,920 (1988); *Frederick Marsh Blanton, M.D.,* 43 FR at 27,617.

maintained by DEA. For administrative purposes only, and in compliance with requirements of the Office of the Federal Register, the undersigned DEA Federal Register Liaison Officer has been authorized to sign and submit the document in electronic format for publication, as an official document of DEA. This administrative process in no way alters the legal effect of this document upon publication in the **Federal Register**.

Heather Achbach,

Federal Register Liaison Officer, Drug Enforcement Administration.

[FR Doc. 2025–17487 Filed 9–10–25; 8:45 am]

BILLING CODE 4410–09–P

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

[Docket No. DEA–1580]

Importer of Controlled Substances Application: Biopharmaceutical Research Company

AGENCY: Drug Enforcement Administration, Justice.

ACTION: Notice of application.

SUMMARY: Biopharmaceutical Research Company 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 October 14, 2025. Such persons may also file a written request for a hearing on the application on or before October 14, 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 30, 2025, Biopharmaceutical Research Company, 11045 Commercial Parkway, Castroville, California 95012–3209, applied to be registered as an importer of the following basic class(es) of controlled substance(s):

Controlled substance	Drug code	Schedule
Marihuana Extract	7350	I
Marihuana	7360	I
Tetrahydrocannabinols ...	7370	I

The company plans to import the listed controlled substances as flowering plants and cannabis derivatives to support analytical chemistry analyses, research and the manufacturing of dosage forms for preclinical and clinical trials. 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. 2025–17503 Filed 9–10–25; 8:45 am]

BILLING CODE 4410–09–P

DEPARTMENT OF JUSTICE

Notice of Lodging of Proposed Consent Decree Under the Comprehensive Environmental Response, Compensation, and Liability Act

On September 8, 2025, the Department of Justice lodged a proposed Consent Decree with the United States District Court for the Northern District of Illinois in the lawsuit entitled *United States* v. *MPG Industries, Inc., Millridge Industries, LLC, and Millridge IV, LLC,* Civil Action No. 25–cv–10792 (Dk. No. 2).

The Complaint asserts claims under the Comprehensive Environmental Response, Compensation, and Liability Act (''CERCLA'') Section 107(a), 42 U.S.C. 9607(a), relating to an environmental cleanup of a former specialty chemicals manufacturing facility that was partially destroyed by a fire in August 2019. At the time of the fire, MPG Industries, Inc., and Millridge Industries, LLC, operated the facility, while Millridge IV, LLC, owned the Facility and leased it to MPG Industries. Under the proposed Consent Decree, Defendants would reimburse EPA for $674,701.87 in response costs the agency incurred while cleaning up the site, as well as $27,371.67 in interest on those response costs.

The publication of this notice opens a period for public comment on the Consent Decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and should refer to *United States* v. *MPG Industries, Inc., Millridge Industries, LLC, and Millridge IV, LLC,* D.J. Ref. No. 90–11–3–12915. All comments must be submitted no later than thirty (30) days after the publication date of this notice. Comments may be submitted either by email or by mail:

To submit comments:	*Send them to:*
By email	*pubcomment-ees.enrd@usdoj.gov.*
By mail	Assistant Attorney General, U.S. DOJ—ENRD, P.O. Box 7611, Washington, DC 20044–7611.

Any comments submitted in writing may be filed in whole or in part on the public court docket without notice to the commenter.

During the public comment period, the Consent Decree may be examined and downloaded at this Justice Department website: *https://www.justice.gov/enrd/consent-decrees.* If you require assistance accessing the consent decree, you may request assistance by email or by mail to the addresses provided above for submitting comments.

Jason A. Dunn,

Assistant Section Chief, Environmental Enforcement Section, Environment and Natural Resources Division.

[FR Doc. 2025–17476 Filed 9–10–25; 8:45 am]

BILLING CODE 4410–15–P

DEPARTMENT OF JUSTICE

[OMB Number: 1105–NEW]

Agency Information Collection Activities; Proposed eCollection eCommentsRequested; New Comments requested; Title—Healthcare Competition Complaint Form

AGENCY: Antitrust Division, Department of Justice.

ACTION: 30-Day notice.

SUMMARY: The Department of Justice (DOJ), Antitrust Division (ATR), 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 30 days until October 10, 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 Sarah Oldfield, Deputy Chief Legal Advisor, Antitrust Division, United States Department of Justice, 950 Pennsylvania Street NW, Room 3304, Washington, DC 20530 (phone: 202–305–8915).

SUPPLEMENTARY INFORMATION: The proposed information collection was previously published in the **Federal Register** on May 1, 2025, 90 FR 18709, allowing a 60-day comment period. Written comments and suggestions from the public and affected agencies concerning the proposed collection of information are encouraged. Your comments should address one or more of the following four points:

—Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

—Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

—Evaluate whether and if so how the quality, utility, and clarity of the information to be collected can be enhanced; and

—Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of responses.

Overview of This Information Collection

1. *Type of Information Collection:* New information collection.

2. *The Title of the Form/Collection:* Healthcare Competition Complaint form.

3. *The agency form number, if any, and the applicable component of the Department sponsoring the collection:* The applicable component within the Department of Justice is the Antitrust Division.

4. *Affected public who will be asked or required to respond, as well as a brief abstract:* Primary respondents will be individuals or households.

Abstract: The Healthcare Competition Complaint form facilitates reporting by members of the public of complaints, concerns, or information regarding potential antitrust violations. Respondents will be able to complete and submit information electronically through the Healthcare Competition Complaint form on the Department of Justice's website.

5. *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* 2345 respondents annually and 12 minutes for an individual to respond.

6. *An estimate of the total public burden (in hours) associated with the collection:* 28,140 annual burden hours.

If additional information is required contact: Darwin Arceo, Department Clearance Officer, United States Department of Justice, Justice Management Division, Enterprise Portfolio Management, Two Constitution Square, 145 N Street NE, 4W–218, Washington, DC 20530.

Dated: September 8, 2025.

Darwin Arceo,

Department Clearance Officer for PRA, U.S. Department of Justice.

[FR Doc. 2025–17434 Filed 9–10–25; 8:45 am]

BILLING CODE 4410–11–P

NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

[NARA–25–0011; NARA–2025–034]

Records Schedules; Availability and Request for Comments

AGENCY: National Archives and Records Administration (NARA).

ACTION: Notice of availability of proposed records schedules; request for comments.

SUMMARY: The National Archives and Records Administration (NARA) publishes notice of certain Federal agency requests for records disposition authority (records schedules). We publish notice in the **Federal Register** and on *regulations.gov* for records schedules in which agencies propose to dispose of records they no longer need to conduct agency business. We invite public comments on such records schedules.

DATES: We must receive responses on the schedules listed in this notice by October 31, 2025.

ADDRESSES: To view a records schedule in this notice, or submit a comment on one, use the following address: *https://www.regulations.gov/docket/NARA-25-0011/document.*

This is a direct link to the schedules posted in the docket for this notice on *regulations.gov*. You may submit comments by the following method:

• *Federal eRulemaking Portal: https://www.regulations.gov.* On the website, enter either of the numbers cited at the top of this notice into the search field. This will bring you to the docket for this notice, in which we have posted the records schedules open for comment. Each schedule has a 'comment' button so you can comment on that specific schedule. For more information on *regulations.gov* and on submitting comments, see their FAQs at *https://www.regulations.gov/faq.*

If you are unable to comment via *regulations.gov*, you may email us at *request.schedule@nara.gov* for instructions on submitting your comment. You must cite the control number of the schedule you wish to comment on. You can find the control number for each schedule in parentheses at the end of each schedule's entry in the list at the end of this notice.

FOR FURTHER INFORMATION CONTACT: Richard Green, Records Management Operations, by email at *richard.green@nara.gov* or at 301–395–7825. For information about records schedules, contact Records Management Operations by email at *request.schedule@nara.gov* or by phone at 301–395–7825.

SUPPLEMENTARY INFORMATION:

Public Comment Procedures

We are publishing notice of records schedules in which agencies propose to dispose of records they no longer need to conduct agency business. We invite

public comments on these records schedules, as required by 44 U.S.C. 3303a(a), and list the schedules at the end of this notice by agency and subdivision requesting disposition authority.

In addition, this notice lists the organizational unit(s) accumulating the records or states that the schedule has agency-wide applicability. It also provides the control number assigned to each schedule, which you will need if you submit comments on that schedule. We have uploaded the records schedules and accompanying appraisal memoranda to the *regulations.gov* docket for this notice as ''other'' documents. Each records schedule contains a full description of the records at the file unit level as well as their proposed disposition. The appraisal memorandum for the schedule includes information about the records.

We will post comments, including any personal information and attachments, to the public docket unchanged. Because comments are public, you are responsible for ensuring that you do not include any confidential or other information that you or a third party may not wish to be publicly posted. If you want to submit a comment with confidential information or cannot otherwise use the *regulations.gov* portal, you may contact *request.schedule@nara.gov* for instructions on submitting your comment.

We will consider all comments submitted by the posted deadline and consult as needed with the Federal agency seeking the disposition authority. After considering comments, we may or may not make changes to the proposed records schedule. The schedule is then sent for final approval by the Archivist of the United States. After the schedule is approved, we will post on *regulations.gov* a ''Consolidated Reply'' summarizing the comments, responding to them, and noting any changes we made to the proposed schedule. You may elect at *regulations.gov* to receive updates on the docket, including an alert when we post the Consolidated Reply, whether or not you submit a comment. If you have a question, you can submit it as a comment, and can also submit any concerns or comments you would have to a possible response to the question. We will address these items in consolidated replies along with any other comments submitted on that schedule.

We will post schedules on our website in the Records Control Schedule (RCS) Repository, at *https://www.archives.gov/records-mgmt/rcs,* after the Archivist approves them. The RCS contains all schedules approved since 1973.

Background

Each year, Federal agencies create billions of records. To control this accumulation, agency records managers prepare schedules proposing retention periods for records and submit these schedules for NARA's approval. Once approved by NARA, records schedules provide mandatory instructions on what happens to records when no longer needed for current Government business. The records schedules authorize agencies to preserve records of continuing value in the National Archives or to destroy, after a specified period, records lacking continuing administrative, legal, research, or other value. Some schedules are comprehensive and cover all the records of an agency or one of its major subdivisions. Most schedules, however, cover records of only one office or program or a few series of records. Many of these update previously approved schedules, and some include records proposed as permanent.

Agencies may not destroy Federal records without the approval of the Archivist of the United States. The Archivist grants this approval only after thorough consideration of the records' administrative use by the agency of origin, the rights of the Government and of private people directly affected by the Government's activities, and whether or not the records have historical or other value. Public review and comment on these records schedules is part of the Archivist's consideration process.

Schedules Pending

1. Department of the Interior, Department Records Schedule 2.2—Natural Resources Planning and Development (DAA–0048–2015–0003).

2. Bureau of Prisons, Bureau Electronic Credentialing System (BECS) Data (DAA–0129–2025–0005).

3. Bureau of Prisons, Geospatial and Electronic Media Storage (GEMS) Records (DAA–0129–2024–0008).

4. Bureau of Prisons, Teleradiology System (TeleRad) Records (DAA–0129–2025–0002).

5. Federal Communications Commission, General Counsel Records (DAA–0173–2025–0002).

6. Federal Communications Commission, Rate of Return Records (FCC Form 492) (DAA–0173–2021–0027).

7. Morris K. Udall and Stewart L. Udall Foundation, Records of the Udall Foundation including records of the Education Programs and the John S. McCain III National Center for Environmental Conflict Resolution. (DAA–0508–2021–0003).

8. Social Security Administration, Legislative, Regulatory, and Policy Records (DAA–0047–2023–0001).

9. Social Security Administration, Office of the Inspector General (OIG) Records (DAA–0047–2022–0002).

10. United States International Development Finance Corporation, Records of the International Development Finance Corporation (DAA–0420–2025–0001).

11. United States Semiquincentennial Commission, Comprehensive Schedule (DAA–0148–2025–0003).

William P. Fischer,

Acting Chief Records Officer for the U.S. Government.

[FR Doc. 2025–17512 Filed 9–10–25; 8:45 am]

BILLING CODE 7515–01–P

NATIONAL SCIENCE FOUNDATION

Agency Information Collection Activities: Comment Request; Office of Civil Rights Civil Rights Case Management System

AGENCY: National Science Foundation.

ACTION: Notice.

SUMMARY: The National Science Foundation (NSF) is announcing plans to establish this collection. In accordance with the requirements of the Paperwork Reduction Act of 1995, we are providing opportunity for public comments on this action. After obtaining and considering public comment, NSF will prepare the submission requesting Office of Management and Budget (OMB) clearance of this collection for no longer than 3 years.

DATES: Written comments on this notice must be received by November 10, 2025 to be assured consideration. Comments received after that date will be considered to the extent practicable. Send comments to address below.

FOR FURTHER INFORMATION CONTACT: Suzanne H. Plimpton, Reports Clearance Officer, National Science Foundation, 2415 Eisenhower Avenue, Alexandria, Virginia 22314; telephone (703) 292–7556; or send email to *splimpto@nsf.gov.* Individuals who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1–800–877–8339, which is accessible 24 hours a day, 7 days a week, 365 days a year (including Federal holidays).

Comments: Comments are invited on: (a) whether the proposed collection of

information is necessary for the proper performance of the functions of the Foundation, including whether the information will have practical utility; (b) the accuracy of the Foundation's estimate of the burden of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on those who are to respond, including through the use of automated collection techniques or other forms of information technology.

SUPPLEMENTARY INFORMATION:

Title of Collection: Office of Civil Rights—Civil Rights Case Management System.

OMB Control No.: 3145-New.

Expiration Date of Approval: Not applicable.

Abstract: The U.S. National Science Foundation (NSF) Office of Civil Rights (OCR) processes discrimination complaints under various federal civil rights laws and regulations. Organizations that receive funding awards from NSF are prohibited from discriminating against individuals who participate in any NSF-funded programs, services, and activities. To ensure awardee organizations follow civil rights laws, OCR's Awardee Compliance Branch (ACB) receives and considers complaints for investigation of unlawful discrimination, harassment, and retaliation in NSF-funded programs, services, and activities.

OCR ACB is establishing an electronic case management system to receive, evaluate, process, investigate, and resolve allegations of discrimination, harassment, or retaliation. Complainants submit their complaint information into the case management system. Information collected and maintained by the system includes: name and contact information for the complainant; impacted party (*i.e.,* complainant or other individual), witnesses, respondent, awardee organization; complaint information (which includes basis of discrimination or harassment, complaint description, remedies, and whether the complaint is filed in any other forum); any additional documentation; and a consent form for investigation and sharing of information with the relevant organization(s). If the complaint is accepted for investigation, additional information may be collected that is relevant to the case. This information is collected to help OCR staff determine if there is jurisdiction to accept complaints for investigation by OCR or if the complaint should be referred to NSF's Office of the Inspector General (OIG), to the institution, or another federal agency. Information is only used and shared on a need-to-know basis.

Respondents: Those who experienced or witnessed harassment or discrimination within an NSF program or activity.

Estimated Number of Annual Respondents: 100.

Burden on the Public: Estimated 30 minutes to fill out the information to submit a complaint. The time varies by complaint. The estimated burden time is 50 hours a year.

Dated: September 9, 2025.

Suzanne H. Plimpton,

Reports Clearance Officer, National Science Foundation.

[FR Doc. 2025–17544 Filed 9–10–25; 8:45 am]

BILLING CODE 7555–01–P

NATIONAL SCIENCE FOUNDATION

Notice of Permit Applications Received Under the Antarctic Conservation Act of 1978

AGENCY: National Science Foundation.

ACTION: Notice of permit applications received.

SUMMARY: The National Science Foundation (NSF) is required to publish notice of permit applications received to conduct activities consistent with the Antarctic Conservation Act of 1978. NSF has published regulations under the Antarctic Conservation Act of 1978 in the Code of Federal Regulations. This is the required notice of permit applications received.

DATES: Interested parties are invited to submit written data, comments, or views with respect to this permit application by October 14, 2025. This application may be inspected by interested parties at the Permit Office, address below.

ADDRESSES: Comments should be addressed to Permit Office, Office of Polar Programs, National Science Foundation, 2415 Eisenhower Avenue, Alexandria, Virginia 22314 or *ACApermits@nsf.gov.*

FOR FURTHER INFORMATION CONTACT: Andrew Titmus, ACA Permit Officer, at the above address, 703–292–4479.

SUPPLEMENTARY INFORMATION: The National Science Foundation, as directed by the Antarctic Conservation Act of 1978 (Pub. L. 95–541, 16 U.S.C. 2401 *et seq.*), as amended by the Antarctic Science, Tourism and Conservation Act of 1996 (Pub. L. 104–227), has developed regulations (45 CFR parts 670 to 674) for the establishment of a permit system for various activities in Antarctica related to the designation of certain animals and certain geographic areas as requiring special protection, among other purposes.

Application Details

1. Permit Application: 2026–004

Applicant: Sarah Conner, BBC Studios Americas Inc., 1120 Avenue of the Americas, 5th Floor, New York, NY 10036

Activity for Which Permit Is Requested: Harmful Interference (45 CFR 670). The applicant requests a permit in association with documentary film making activities. Activities would focus on the filming of Weddell seals (*Leptonychotes weddellii*) through filming from underwater, using Remotely Piloted Aircraft Systems (RPAS), and land-based platforms. The applicant requests up to 30 disturbances per day, not to exceed 280 disturbances for the project. During this project, the applicant requests incidental interaction with no more than 1 Crabeater seal (*Lobodon carcinophagus*) per week, and 1 Leopard seal (*Hydrurga leptonyx*) per week. Filming would occur at maintained U.S. Antarctic Program dive sites in McMurdo Sound and Erebus Bay. Animal approaches would be gradual, and no animal will be approached closer than 5m. Newborn neonate pups will not be approached. The applicant would operate, battery-operated remotely piloted aircraft systems (RPAS) consisting, in part, of a quadcopter equipped with cameras. The RPAS would only be operated by a pilot with extensive experience. Takeoff and landing would occur at least 100m away from animals, and flown above animals at a minimum altitude of 23m, dropping to 10m only if no signs of disturbance have been detected. The applicant has received a NOAA National Marine Fisheries Service permit for these activities.

Location: McMurdo Sound and Erebus Bay.

Dates of Permitted Activities: October 8, 2025–November 15, 2025

Permit Application: 2026–005

2. *Applicant:* Jason Flesher, Scenic Luxury Tours and Cruises, 6422 W Briles Rd., Phoenix, AZ 85083

Activity for Which Permit Is Requested: Enter Antarctic Specially Protected Area (45 CFR 670). The applicant seeks a permit authorizing entry into Antarctic Specially Protected Areas (ASPA) in association with visits to historic huts in the Ross Sea and East Antarctica regions. Up to 580 persons would enter each ASPA accompanied

by guides trained in the history and preservation of the historic huts. All visits would be in accordance with the management plans for each ASPA.

Locations: ASPA 155—Cape Evans, Ross Island; ASPA 157—Backdoor Bay, Cape Royds, Ross Island; ASPA 158—Hut Point, Ross Island; ASPA 162—Mawson's Huts, Cape Denison, Commonwealth Bay, George V Land, East Antarctica.

Dates of Permitted Activities: December 14, 2025–February 22, 2026.

Jean C Allen,

Office Director, Office of Polar Programs.

[FR Doc. 2025–17440 Filed 9–10–25; 8:45 am]

BILLING CODE 7555–01–P

NATIONAL SCIENCE FOUNDATION

Notice of Permit Applications Received Under the Antarctic Conservation Act of 1978

AGENCY: National Science Foundation.

ACTION: Notice of permit applications received.

SUMMARY: The National Science Foundation (NSF) is required to publish notice of permit applications received to conduct activities consistent with the Antarctic Conservation Act of 1978. NSF has published regulations under the Antarctic Conservation Act of 1978 in the Code of Federal Regulations. This is the required notice of permit applications received.

DATES: Interested parties are invited to submit written data, comments, or views with respect to this permit application by October 14, 2025. This application may be inspected by interested parties at the Permit Office, address below.

ADDRESSES: Comments should be addressed to Permit Office, Office of Polar Programs, National Science Foundation, 2415 Eisenhower Avenue, Alexandria, Virginia 22314 or *ACApermits@nsf.gov.*

FOR FURTHER INFORMATION CONTACT: Andrew Titmus, ACA Permit Officer, at the above address, 703–292–4479.

SUPPLEMENTARY INFORMATION: The National Science Foundation, as directed by the Antarctic Conservation Act of 1978 (Pub. L. 95–541, 16 U.S.C. 2401 *et seq.*), as amended by the Antarctic Science, Tourism and Conservation Act of 1996 (Pub. L. 104–227), has developed regulations (45 CFR parts 670 to 674) for the establishment of a permit system for various activities in Antarctica related to the designation of certain animals and certain geographic areas as requiring special protection, among other purposes.

Application Details

Permit Application: 2026–001

1. *Applicant:* Lynne Talley, Scripps Institution of Oceanography, UCSD, La Jolla, CA 92093–0230.

Activity for Which Permit Is Requested: Waste Management (45 CFR 671). The applicant is seeking a waste management permit for waste management activities associated with the deployment of floating oceanographic profiling instruments (Argo floats) in Southern Ocean waters. The Argo floats would autonomously collect temperature, salinity, oxygen, pH, nitrate, fluorescence, backscatter, and irradiance from 0 to 2,000 m, every 10 days. The floats would freely drift and would likely leave and enter the region over the course of their operational lifetimes. The applicant proposes to release a maximum of 150 Argo floats south of 60° S during the permit period. Float dimensions are 75 inches tall by 9 inches diameter, weighing approximately 65 lbs. Each float includes 19DD lithium cells, with approximately 0.198 gm of lithium per float. The floats would drift at 1,000 m depth and come to the surface every 10 days. Their lifetime is approximately 5 years, after which the batteries would be depleted and the floats would no longer surface, but would remain in the ocean and sink to the ocean floor. The Argo floats deployed in the Southern Ocean would be part of a global array. The Argo array provides operational and research data that inform nowcast and forecast services, contributing to saving lives, avoiding property damage, and informing the public and government responses to environmental variability and change.

Location: Southern Ocean.

Dates of Permitted Activities: November 1, 2025–June 30, 2030.

Permit Application: 2026–002

2. *Applicant:* Randall Reeves, 4343 Sequoyah Rd., Oakland, CA 94605.

Activity for Which Permit Is Requested: Waste Management (45 CFR 671). The applicant proposes to operate a sailing yacht, conduct shore excursions, and operate a remotely piloted aircraft system in the Antarctic Peninsula region. The yacht would carry up to 250 gallons of diesel fuel in a combination of internal and external storage tanks, up to 10 gallons of gasoline. A spill kit and absorbent pads would be available during all fueling and fuel transfers. Solid waste will be contained and stored on the vessel, and disposed of outside of the Antarctic Treaty area. The applicant would operate small, battery-operated remotely piloted aircraft systems (RPAS) consisting, in part, of a quadcopter equipped with cameras to aid in navigation and to collect footage of the Antarctic. The quadcopter would not be flown over wildlife, or over Antarctic Specially Protected Areas or Historic Sites and Monuments. The RPAS would only be operated by a pilot with extensive experience and flights would not occur if the aircraft cannot be flown in GPS mode. Several measures would be taken to prevent against loss of the quadcopters including terminating flights with at least 40% battery life remaining; having an observer on the lookout for wildlife, people, and other hazards; maintaining flights below 400 ft above ground level, and ensuring that the separation between the operator and quadcopter does not exceed visual line of sight. The applicant is seeking a Waste Permit to cover any accidental releases that may result from operating the vessel, conducting shore excursions, or operating the RPAS.

Location: Antarctic Peninsula region.

Dates of Permitted Activities: December 1, 2025–January 2, 2030.

Permit Application: 2026–003

3. *Applicant* John Kennedy, 665 Spruce St., Box 322, Del Norte, CO 81132.

Activity for Which Permit Is Requested: Waste Management (45 CFR 671). The applicant proposes to operate a sailing yacht, conduct shore excursions, and operate a remotely piloted aircraft system in the Antarctic Peninsula region. The yacht would carry up to 1,600 L of diesel fuel in a combination of internal and external storage tanks, up to 38 L of gasoline. A spill kit and absorbent pads would be available during all fueling and fuel transfers. Solid waste will be contained and stored on the vessel, and disposed of outside of the Antarctic Treaty area. The applicant would operate small, battery-operated remotely piloted aircraft systems (RPAS) consisting, in part, of a quadcopter equipped with cameras to aid in navigation and to collect footage of the Antarctic. The quadcopter would not be flown over wildlife, or over Antarctic Specially Protected Areas or Historic Sites and Monuments. The RPAS would only be operated by a pilot with extensive experience and flights would not occur if the aircraft cannot be flown in GPS mode. Several measures would be taken to prevent against loss of the quadcopters including restricting flights occurring in winds over 20 knots; terminating flights with at least 40%

battery life remaining; having an observer on the lookout for wildlife, people, and other hazards; maintaining flights below 400 ft above ground level; and ensuring that the separation between the operator and quadcopter does not exceed visual line of sight. The applicant is seeking a Waste Permit to cover any accidental releases that may result from operating the vessel, conducting shore excursions, or operating the RPAS.

Location: Antarctic Peninsula region.

Dates of Permitted Activities: January 2, 2026–April 1, 2030.

Jean C. Allen,

Office Director, Office of Polar Programs.

[FR Doc. 2025–17443 Filed 9–10–25; 8:45 am]

BILLING CODE 7555–01–P

POSTAL REGULATORY COMMISSION

[Docket Nos. K2025–180; MC2025–1677 and K2025–1667]

New Postal Products

AGENCY: Postal Regulatory Commission.

ACTION: Notice.

SUMMARY: The Commission is noticing a recent Postal Service filing for the Commission's consideration concerning a negotiated service agreement. This notice informs the public of the filing, invites public comment, and takes other administrative steps.

DATES: *Comments are due:* September 16, 2025.

ADDRESSES: Submit comments electronically via the Commission's Filing Online system at *https://www.prc.gov*. Those who cannot submit comments electronically should contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section by telephone for advice on filing alternatives.

FOR FURTHER INFORMATION CONTACT: David A. Trissell, General Counsel, at 202–789–6820.

SUPPLEMENTARY INFORMATION:

Table of Contents

I. Introduction
II. Public Proceeding(s)
III. Summary Proceeding(s)

I. Introduction

Pursuant to 39 CFR 3041.405, the Commission gives notice that the Postal Service filed request(s) for the Commission to consider matters related to Competitive negotiated service agreement(s). The request(s) may propose the addition of a negotiated service agreement from the Competitive product list or the modification of an existing product currently appearing on the Competitive product list.

The public portions of the Postal Service's request(s) can be accessed via the Commission's website (*http://www.prc.gov*). Non-public portions of the Postal Service's request(s), if any, can be accessed through compliance with the requirements of 39 CFR 3011.301.[1]

Section II identifies the docket number(s) associated with each Postal Service request, if any, that will be reviewed in a public proceeding as defined by 39 CFR 3010.101(p), the title of each such request, the request's acceptance date, and the authority cited by the Postal Service for each request. For each such request, the Commission appoints an officer of the Commission to represent the interests of the general public in the proceeding, pursuant to 39 U.S.C. 505 and 39 CFR 3000.114 (Public Representative). The Public Representative does not represent any individual person, entity or particular point of view, and, when Commission attorneys are appointed, no attorney-client relationship is established. Section II also establishes comment deadline(s) pertaining to each such request.

The Commission invites comments on whether the Postal Service's request(s) identified in Section II, if any, are consistent with the policies of title 39. Applicable statutory and regulatory requirements include 39 U.S.C. 3632, 39 U.S.C. 3633, 39 U.S.C. 3642, 39 CFR part 3035, and 39 CFR part 3041. Comment deadline(s) for each such request, if any, appear in Section II.

Section III identifies the docket number(s) associated with each Postal Service request, if any, to add a standardized distinct product to the Competitive product list or to amend a standardized distinct product, the title of each such request, the request's acceptance date, and the authority cited by the Postal Service for each request. Standardized distinct products are negotiated service agreements that are variations of one or more Competitive products, and for which financial models, minimum rates, and classification criteria have undergone advance Commission review. *See* 39 CFR 3041.110(n); 39 CFR 3041.205(a). Such requests are reviewed in summary proceedings pursuant to 39 CFR 3041.325(c)(2) and 39 CFR 3041.505(f)(1). Pursuant to 39 CFR 3041.405(c)–(d), the Commission does not appoint a Public Representative or request public comment in proceedings to review such requests. The comment due date discussed above does not apply to Section III proceedings (Docket Nos. K2025–180; MC2025–1677 and K2025–1667).

[1] *See* Docket No. RM2018–3, Order Adopting Final Rules Relating to Non-Public Information, June 27, 2018, Attachment A at 19–22 (Order No. 4679).

II. Public Proceeding(s)

1. *Docket No(s).:* K2025–180; *Filing Title:* USPS Request Concerning Amendment One to Priority Mail Express, Priority Mail & USPS Ground Advantage Contract 555, with Materials Filed Under Seal; *Filing Acceptance Date:* September 8, 2025; *Filing Authority:* 39 CFR 3035.105 and 39 CFR 3041.505; *Public Representative:* Kenneth Moeller; *Comments Due:* September 16, 2025.

III. Summary Proceeding(s)

1. *Docket No(s).:* MC2025–1677 and K2025–1667; *Filing Title:* USPS Request to Add New Fulfillment Standardized Distinct Product, PM–GA Contract 848, and Notice of Filing Materials Under Seal; *Filing Acceptance Date:* September 8, 2025; *Filing Authority:* 39 U.S.C. 3642 and 3633, 39 CFR 3035.105, and 39 CFR 3041.325.

This Notice will be published in the **Federal Register**.

Erica A. Barker,

Secretary.

[FR Doc. 2025–17561 Filed 9–10–25; 8:45 am]

BILLING CODE 7710–FW–P

POSTAL REGULATORY COMMISSION

[Docket Nos. MC2025–1676; Order No. 9162]

Competitive Postal Products

AGENCY: Postal Regulatory Commission.

ACTION: Notice.

SUMMARY: The Commission is recognizing a recent Postal Service filing requesting to remove International Surface Air Lift and two types of international negotiated service agreement products from the Competitive product list. This notice informs the public of the filing, invites public comment, and takes other administrative steps.

DATES: *Comments are due:* October 15, 2025.

ADDRESSES: Submit comments electronically via the Commission's Filing Online system at *http://www.prc.gov.* Those who cannot submit comments electronically should contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section by

telephone for advice on filing alternatives.

FOR FURTHER INFORMATION CONTACT: David A. Trissell, General Counsel, at 202–789–6820.

SUPPLEMENTARY INFORMATION:

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I. Introduction
II. Contents of Filing
III. Commission Action
IV. Ordering Paragraphs

I. Introduction

On September 5, 2025, pursuant to 39 U.S.C. 3642 and 39 CFR 3040.130 *et seq.,* the Postal Service filed a request to remove *Mail Classification Schedule* (MCS) section 2325 International Surface Air Lift (ISAL) and two types of international negotiated service agreement (NSA) products that include ISAL in MCS sections 2510.21 and 2510.22 from the Competitive product list in the MCS.[1] In addition, pursuant to 39 U.S.C. 3632 and 39 CFR 3040.180 *et seq.,* the Postal Service requests to make accompanying material changes to product descriptions for certain other Competitive products and Part D Country Price Lists for International Mail for which ISAL is listed as available in MCS sections 2300.2, 2510.2, 2510.6, and 4000. *Id.* at 2, n.1. The Postal Service intends for these proposed changes to take effect on January 18, 2026. *Id.* at 3.

II. Contents of Filing

The Postal Service states that it proposes the removal of ISAL from the relevant MCS sections because ISAL is ''very similar to'' the International Priority Airmail (IPA) in MCS section 2320 as both offer service for bulk international mail. *Id.* at 2, 5. In addition, IPA is generally lower priced than ISAL, with the exception of the identical prices for IPA M-Bags and ISAL M-Bags. *Id.* at 5. Furthermore, IPA is available to approximately 215 destinations while ISAL is only available to approximately 115 destinations. *Id.* at 8.

The Postal Service states that the proposed removal of ISAL in MCS section 2325 and two types of international NSA products that include ISAL in MCS sections 2510.21 and 2510.22 satisfies the requirements in 39 CFR 3040.131(a) through (f) because: (a) it includes the names and classes of the products that are the subject of the request; (b) it includes a copy of Governors' Decision No. 25–4 supporting the request in Attachment 1; (c) it indicates that the Request proposes to remove products from the Competitive product list; (d) it indicates that the products to be removed are not a special classification within the meaning of 39 U.S.C. 3622(c)(10) for Market Dominant products or non-postal products, and the two international NSA products in MCS section 2510.21 and 2510.22 are products not of general applicability within the meaning of 39 U.S.C. 3632(b)(3) for Competitive products; (e) it includes a Statement of Supporting Justification in Attachment 2, which explains why the requested changes are not inconsistent with the applicable statutory and regulatory requirements; and (f) it includes a copy of the applicable sections of the MCS and the proposed changes in legislative format in Attachment 3. *Id.* at 3–5, Attachments 1–3.

The Postal Service states that the proposed removal of references to ISAL in MCS sections 2300.2, 2510.2, 2510.6, and 4000 satisfies the requirements in 39 CFR 3040.180 and 3040.181 because: (1) the Request is submitted no later than 30 days prior to implementing the proposed changes; (2) it includes a copy of the applicable sections of the MCS and the proposed changes in legislative format in Attachment 3; and (3) it provides supporting justification, which includes a description of, and rationale for, the proposed changes to product descriptions, explains why the changes will not result in the violation of 39 U.S.C. 3633 and 39 CFR part 3035 for the Competitive products at issue, and describes the likely impact that the changes will have on users of the product and on competitors. *Id.* at 5–9, Attachment 3.

III. Commission Action

The Commission establishes Docket No. MC2025–1676 for consideration of matters raised by the Request.

The Commission invites comments on whether the Postal Service's filing is consistent with 39 U.S.C. 3633 and 3642 and 39 CFR 3040.130, 3040.131, 3040.132, 3040.180, and 3040.181. Comments are due no later than October 15, 2025. The public portions of the filings can be accessed via the Commission's website (*https://www.prc.gov*).

The Commission appoints Samuel Robinson to represent the interests of the general public (Public Representative) in this docket, pursuant to 39 CFR 3010.101(q)(3). The Public Representative does not represent any individual person, entity, or particular point of view, and, when Commission attorneys are appointed, no attorney-client relationship is established.

IV. Ordering Paragraphs

It is ordered:

1. The Commission establishes Docket No. MC2025–1676 for consideration of matters raised by the Postal Service's Request.

2. Pursuant to 39 CFR 3010.101(q)(3), Samuel Robinson is appointed to serve as an officer of the Commission to represent the interests of the general public in this proceeding (Public Representative).

3. Comments are due no later than October 15, 2025.

4. The Secretary shall arrange for publication of this Order in the **Federal Register**.

By the Commission.

Erica A. Barker,

Secretary.

[FR Doc. 2025–17567 Filed 9–10–25; 8:45 am]

BILLING CODE 7710–FW–P

[1] Request of the United States Postal Service to Remove International Surface Air Lift (ISAL) and Two Types of Negotiated Service Agreement Products that Include ISAL from the Competitive Product List and to Make Accompanying Classification Changes, September 5, 2025, at 1–2 (Request).

POSTAL REGULATORY COMMISSION

[Docket Nos. MC2025–1675 and K2025–1666]

New Postal Products

AGENCY: Postal Regulatory Commission.

ACTION: Notice.

SUMMARY: The Commission is noticing a recent Postal Service filing for the Commission's consideration concerning a negotiated service agreement. This notice informs the public of the filing, invites public comment, and takes other administrative steps.

DATES: *Comments are due:* September 15, 2025.

ADDRESSES: Submit comments electronically via the Commission's Filing Online system at *https://www.prc.gov.* Those who cannot submit comments electronically should contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section by telephone for advice on filing alternatives.

FOR FURTHER INFORMATION CONTACT: David A. Trissell, General Counsel, at 202–789–6820.

SUPPLEMENTARY INFORMATION:

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I. Introduction
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III. Summary Proceeding(s)

I. Introduction

Pursuant to 39 CFR 3041.405, the Commission gives notice that the Postal Service filed request(s) for the Commission to consider matters related to Competitive negotiated service agreement(s). The request(s) may propose the addition of a negotiated service agreement from the Competitive product list or the modification of an existing product currently appearing on the Competitive product list.

The public portions of the Postal Service's request(s) can be accessed via the Commission's website (*http://www.prc.gov*). Non-public portions of the Postal Service's request(s), if any, can be accessed through compliance with the requirements of 39 CFR 3011.301.[1]

Section II identifies the docket number(s) associated with each Postal Service request, if any, that will be reviewed in a public proceeding as defined by 39 CFR 3010.101(p), the title of each such request, the request's acceptance date, and the authority cited by the Postal Service for each request. For each such request, the Commission appoints an officer of the Commission to represent the interests of the general public in the proceeding, pursuant to 39 U.S.C. 505 and 39 CFR 3000.114 (Public Representative). The Public Representative does not represent any individual person, entity or particular point of view, and, when Commission attorneys are appointed, no attorney-client relationship is established. Section II also establishes comment deadline(s) pertaining to each such request.

The Commission invites comments on whether the Postal Service's request(s) identified in Section II, if any, are consistent with the policies of title 39. Applicable statutory and regulatory requirements include 39 U.S.C. 3632, 39 U.S.C. 3633, 39 U.S.C. 3642, 39 CFR part 3035, and 39 CFR part 3041. Comment deadline(s) for each such request, if any, appear in Section II.

Section III identifies the docket number(s) associated with each Postal Service request, if any, to add a standardized distinct product to the Competitive product list or to amend a standardized distinct product, the title of each such request, the request's acceptance date, and the authority cited by the Postal Service for each request. Standardized distinct products are negotiated service agreements that are variations of one or more Competitive products, and for which financial models, minimum rates, and classification criteria have undergone advance Commission review. *See* 39 CFR 3041.110(n); 39 CFR 3041.205(a). Such requests are reviewed in summary proceedings pursuant to 39 CFR 3041.325(c)(2) and 39 CFR 3041.505(f)(1). Pursuant to 39 CFR 3041.405(c)–(d), the Commission does not appoint a Public Representative or request public comment in proceedings to review such requests.

[1] *See* Docket No. RM2018–3, Order Adopting Final Rules Relating to Non-Public Information, June 27, 2018, Attachment A at 19–22 (Order No. 4679).

II. Public Proceeding(s)

1. *Docket No(s).:* MC2025–1675 and K2025–1666; *Filing Title:* USPS Request to Add Priority Mail Express, Priority Mail & USPS Ground Advantage Contract 1410 to the Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date:* September 5, 2025; *Filing Authority:* 39 U.S.C. 3642, 39 CFR 3035.105, and 39 CFR 3041.310; *Public Representative:* Christopher Mohr; *Comments Due:* September 15, 2025.

III. Summary Proceeding(s)

None. See Section II for public proceedings.

This Notice will be published in the **Federal Register**.

Erica A. Barker,

Secretary.

[FR Doc. 2025–17441 Filed 9–10–25; 8:45 am]

BILLING CODE 7710–FW–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–103905; File No. SR–SAPPHIRE–2025–33]

Self-Regulatory Organizations; MIAX Sapphire, LLC; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Introduce a New Version of the Open-Close Report To Be Known as the One-Minute Interval Intra-Day Open-Close Report

September 8, 2025.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act''),[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on August 27, 2025, MIAX Sapphire, LLC (''MIAX Sapphire'' or ''Exchange'') filed with the Securities and Exchange Commission (''Commission'') the proposed rule change as described in Items I and II below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to introduce a new version of the Open-Close Report to be known as the One-Minute Interval Intra-Day Open-Close Report. This proposal is based on recent proposals from other options exchanges that offer substantively similar data products.[3]

The text of the proposed rule change is available on the Exchange's website at *https://www.miaxglobal.com/markets/us-options/all-options-exchanges/rule-filings* and at the Exchange's principal office.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange proposes to introduce a new version of the Open-Close Report to be known as the One-Minute Interval Intra-Day Open-Close Report, which will be available for purchase by Exchange Members[4] and non-Members.[5]

By way of background, the Exchange currently offers End-of-Day (''EOD'') and Intra-Day Open-Close Report data products. The EOD Open-Close Report is an end-of-day volume summary of trading activity on the Exchange at the option level by origin (Priority Customer,[6] Non-Priority Customer, Firm, Broker-Dealer, and Market

[3] *See* Securities Exchange Act Release No. 103322 (June 25, 2025), 90 FR 27887 (June 30, 2025) (SR–CboeBZX–2025–079); 103323 (June 25, 2025), 90 FR 27884 (June 30, 2025) (SR–CBOE–2025–042); *and* 103321 (June 25, 2025), 90 FR 27894 (June 30, 2025) (SR–CboeEDGX–2025–047).

[4] *See* Exchange Rule 100.

[5] The Exchange intends to submit a separate rule filing to establish fees for the One-Minute Interval Intra-Day Open-Close Report.

[6] *See* Exchange Rule 100.

Maker,[7]) side of the market (buy or sell), contract volume, and transaction type (opening or closing). The Priority Customer, Non-Priority Customer, Firm, Broker-Dealer, and Market Maker volume is further broken down into trade size buckets (less than 100 contracts, 100–199 contracts, greater than 199 contracts). The EOD Open-Close Report provides proprietary Exchange trade data and does not include trade data from any other exchange. It is also a historical data product and not a real-time data feed.

The Exchange also offers the Intra-Day Open-Close Report, which provides similar information to that of EOD Open-Close Report, but is produced and updated every 10 minutes during the trading day. Data is captured in ''snapshots'' taken every 10 minutes throughout the trading day and is available to subscribers within five minutes of the conclusion of each 10-minute period.[8] The Intraday Open-Close Report provides a volume summary of trading activity on the Exchange at the option level by origin (Priority Customer, Non-Priority Customer, Firm, Broker-Dealer, and Market Maker), side of the market (buy or sell), and transaction type (opening or closing). All volume is further broken down into trade size buckets (less than 100 contracts, 100–199 contracts, greater than 199 contracts). The Intra-Day Open-Close Report provides proprietary Exchange trade data and does not include trade data from any other exchange. All Open-Close Report data products are completely voluntary products, in that the Exchange is not required by any rule or regulation to make this data available and that potential customers may purchase it on an ad-hoc basis only if they voluntarily choose to do so.

The Exchange now proposes to offer an Intra-Day Open-Close Report that provides the same data as the existing Intra-Day Open-Close Report, except that it will be produced and updated every one minute during the trading day (the ''One-Minute Interval Intra-Day Open-Close Report''). The One-Minute Interval Intra-Day Open-Close Report will be captured in ''snapshots'' taken every one minute throughout the trading day and would be available to subscribers within five minutes of the conclusion of each one-minute period.[9] Similar to the existing Intra-Day Open-Close Report, the One-Minute Interval Intra-Day Open-Close Report provides a volume summary of trading activity on the Exchange at the option level by origin (Priority Customer, Non-Priority Customer, Firm, Broker-Dealer, and Market Maker), side of the market (buy or sell), and transaction type (opening or closing). The Priority Customer, Non-Priority Customer, Firm, Broker-Dealer, and Market Maker volume are further broken down into trade size buckets (less than 100 contracts, 100–199 contracts, greater than 199 contracts). The One-Minute Interval Intra-Day Open-Close Report provides proprietary Exchange trade data and does not include trade data from any other exchange.

The Exchange anticipates a wide variety of market participants would utilize and purchase the One-Minute Interval Intra-Day Open-Close Report, including, but not limited to, individual customers, buy-side investors, and investment banks. The Exchange believes the proposed One-Minute Interval Intra-Day Open-Close Report may also provide helpful trading information regarding investor sentiment that may allow market participants to make better trading decisions throughout the day and may be used to create and test trading models and analytical strategies and provides comprehensive insight into trading on the Exchange. For example, more frequent intra-day open data may allow a market participant to identify new interest or possible risk throughout the trading day, while intra-day closing data may allow a market participant to identify fading interests in a security. The proposed product is a completely voluntary product, in that the Exchange is not required by any rule or regulation to make this data available and that potential subscribers may purchase it only if they voluntarily choose to do so. The Exchange notes that other exchanges recently filed proposals with the Commission to offer substantively similar data products as proposed herein with regard to proprietary data of those exchanges.[10]

The Exchange further notes that the data fields themselves that are provided in the existing Intra-Day Open-Close Report are the same as the proposed One-Minute Interval Intra-Day Open-Close Report. The only distinction is that there will be more data reporting intervals provided within the One-Minute Interval Intra-Day Open-Close Report as the data is delivered based on one-minute intervals as opposed to ten-minute intervals.

Implementation

The Exchange will announce via an Exchange Alert the implementation date of the proposed rule change following the operative date of this rule filing.

2. Statutory Basis

The Exchange believes the proposed rule change is consistent with the Exchange Act and the rules and regulations thereunder applicable to the Exchange and, in particular, the requirements of Section 6(b) of the Act.[11] Specifically, the Exchange believes the proposed rule change is consistent with the Section 6(b)(5)[12] 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 adopting Regulation NMS, the Commission granted self-regulatory organizations (''SROs'') and broker-dealers increased authority and flexibility to offer new and unique market data to the public. It was believed that this authority would expand the amount of data available to consumers, and also spur innovation and competition for the provision of market data. The Exchange believes that the proposed One-Minute Interval Intra-Day Open-Close Report would further broaden the availability of U.S. option market data to investors consistent with the principles of Regulation NMS. The proposal also promotes increased transparency through the dissemination of Intra-Day Open-Close Report at one-minute intervals. The proposed rule

[7] *Id.*

[8] For example, subscribers to the intra-day product would receive the first calculation of intra-day data no later than 9:45 a.m. ET, which represents data captured from 9:30 a.m. to 9:40 a.m. Subscribers will receive the next update by 9:55 a.m., representing the data previously provided aggregated with data captured up to 9:50 a.m., and so forth. Each update represents the aggregate data captured from the current ''snapshot'' and all previous ''snapshots.''

[9] For example, subscribers to the one-minute intra-day product would receive the first calculation of intra-day data by approximately 9:34 a.m. ET, which represents data captured from 9:30 a.m. to 9:31 a.m. Subscribers will receive the next update at 9:35 a.m., representing the data previously provided together with data captured from 9:31 a.m. through 9:32 a.m., and so forth. Each update will represent the aggregate data captured from the current ''snapshot'' and all previous ''snapshots.'' There may be variability in the time delivered during the day based on market activity; the Exchange expects to deliver this in intervals ranging from 2–5 minutes after the one-minute interval.

[10] *See supra* note 3.

[11] 15 U.S.C. 78f(b).

[12] 15 U.S.C. 78f(b)(5).

change would benefit investors by providing access to the One-Minute Interval Intra-Day Open-Close Report, which as noted above, may promote better informed trading. Particularly, information regarding opening and closing activity across different option series may indicate investor sentiment, which can be helpful trading information. Subscribers to the proposed data product may be able to enhance their ability to analyze option trade and volume data on an intraday basis, and create and test trading models and analytical strategies. The Exchange believes the One-Minute Interval Intra-Day Open-Close Report provides a valuable tool that subscribers can use to gain comprehensive insight into the trading activity in a particular series, but also emphasizes such data is not necessary for trading. The Exchange believes that market participants may find it beneficial to receive additional data based on these shorter intervals as opposed to the existing 10-minute intervals provided in the current Intra-Day Open-Close Report. While use cases are the same as the existing 10-minute intervals currently provided, the increased frequency provides more current information and, more data reporting intervals throughout the day to gain knowledge of the trading activity by origin. Of further note, the Exchange has created this proposed new report in response to customer feedback. Moreover, as mentioned above, other exchanges recently filed proposals to establish substantively similar data products.[13]

Further, as mentioned above, the Exchange currently provides an Intra-Day Open-Close Report that contains the same values, the only distinction is that the proposed product will be provided on a more frequent basis, allowing for subscribing market participants to have more data reporting intervals. The Exchange believes this proposed product is the innovation and competition that Regulation NMS sought to create.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will result in any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. Rather, the Exchange believes that the proposal will promote competition by permitting the Exchange to offer a data product that is substantively similar to those offered by other options exchanges.[14]

The Exchange proposes to introduce the One-Minute Interval Intra-Day Open-Close Report in order to keep pace with changes in the industry and evolving customer needs, and believes this proposed rule change would contribute to robust competition among national securities exchanges, by meeting the needs of such customers. The Exchange has received feedback from customers that additional data intervals would be helpful to review. While use cases are the same as the existing 10-minute intervals currently provided, the increased frequency provides more current information and more data reporting intervals throughout the day to gain knowledge of the trading activity by origin.

Moreover, the proposal would enable the Exchange to offer similar products as other exchanges who recently filed proposals to establish substantively similar data products.[15] As a result, the Exchange believes this proposed rule change permits fair competition among national securities exchanges. Therefore, the Exchange does not believe the proposed rule change will result in any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. Furthermore, this product offering is entirely optional and is available to anyone who believes this data will be helpful for their purposes. As such, the Exchange does not believe this proposed rule change places a burden on intra-market competition.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

Written comments were neither solicited nor received.

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[16] and Rule 19b–4(f)(6)[17] 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 after the date of filing, or such shorter time as the Commission may designate, it has become effective pursuant to Section 19(b)(3)(A) of the Act[18] and Rule 19b–4(f)(6)[19] thereunder.

A proposed rule change filed under Rule 19b–4(f)(6)[20] normally does not become operative prior to 30 days after the date of the filing. However, pursuant to Rule 19b–4(f)(6)(iii),[21] the Commission may designate a shorter time if such action is consistent with the protection of investors and the public interest. The Exchange has asked the Commission to waive the 30-day operative delay so that the proposal may become operative immediately upon filing and the Exchange can offer its One-Minute Interval Intra-Day Open-Close Report, which the Exchange created in response to customer feedback, sooner. The Exchange states that the proposal will offer an additional, improved product that is similar to one already offered by the Exchange and that is offered by other exchanges.[22] For these reasons, and because this proposal does not raise any novel regulatory issues, the Commission finds that waiver of the 30-day operative delay is consistent with the protection of investors and the public interest. Therefore, the Commission hereby waives the 30-day operative delay and designates the proposal operative upon filing.[23]

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission will institute proceedings under Section 19(b)(2)(B)[24] of the Act to determine whether the proposed rule change should be approved or disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and

[13] *See supra* note 3.

[14] *See supra* note 3.

[15] *Id.*

[16] 15 U.S.C. 78s(b)(3)(A).

[17] 17 CFR 240.19b–4(f)(6).

[18] 15 U.S.C. 78s(b)(3)(A).

[19] 17 CFR 240.19b–4(f)(6). In addition, Rule 19b–4(f)(6) 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.

[20] 17 CFR 240.19b–4(f)(6).

[21] 17 CFR 240.19b–4(f)(6)(iii).

[22] *See supra* note 3.

[23] 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).

[24] 15 U.S.C. 78s(b)(2)(B).

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–SAPPHIRE–2025–33 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–SAPPHIRE–2025–33. 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–SAPPHIRE–2025–33 and should be submitted on or before October 2, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[25]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025–17447 Filed 9–10–25; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–103911; File No. SR–MIAX–2025–42]

Self-Regulatory Organizations; Miami International Securities Exchange, LLC; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Amend Its Fee Schedule To Remove a Select Symbol From the Priority Customer Rebate Program

September 8, 2025.

Pursuant to the provisions of Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act'')[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on August 29, 2025, Miami International Securities Exchange, LLC (''MIAX'' or ''Exchange'') filed with the Securities and Exchange Commission (''Commission'') a proposed rule change as described in Items I, II, and III below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to amend the MIAX Options Exchange Fee Schedule (the ''Fee Schedule'') to amend the list of Select Symbols[3] contained in the Priority Customer Rebate Program (''PCRP'')[4] under Section 1)a)iii) of the Fee Schedule to remove the Select Symbol ''WBA,'' the ticker symbol for Walgreens Boots Alliance, Inc. (referred to herein as ''Walgreens'').

The text of the proposed rule change is available on the Exchange's website at *https://www.miaxglobal.com/markets/us-options/all-options-exchanges/rule-filings* and at MIAX's principal office.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange proposes to amend footnote 14 in Section 1)a)iii) of the Fee Schedule to amend the list of Select Symbols contained in the PCRP to remove the Select Symbol ''WBA'' from the Select Symbols list. The Exchange initially created the list of Select Symbols on March 1, 2014,[5] and has added and removed option classes from that list since that time.[6] Select Symbols are rebated slightly higher in certain PCRP tiers and segments than non-Select Symbols.

On August 28, 2025, Walgreens announced that it would now be operating as a private standalone company following its acquisition by Sycamore Partners, a private equity firm.[7] Also on August 28, 2025, the Exchange issued an alert to announce that it would delist options in Walgreens from trading on the Exchange, effective August 29, 2025.[8] Options on Walgreens were authorized to be listed for trading on the Exchange pursuant to Exchange Rule 402, but will no longer be listed as Walgreens is no longer a publicly traded company.[9]

The proposed fee change is immediately effective.

2. Statutory Basis

The Exchange believes that its proposal to amend its Fee Schedule is consistent with Section 6(b) of the Act[10] in general, and furthers the objectives of Section 6(b)(4) of the Act[11] in

[25] 17 CFR 200.30–3(a)(12) and (59).

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] The term ''Select Symbols'' means options listed on MIAX overlying AAL, AAPL, AMAT, AMD, AMZN, BA, BABA, BB, BIDU, BP, C, CAT, CLF, CVX, DAL, EBAY, EEM, FCX, GE, GILD, GLD, GM, GOOGL, GPRO, HAL, INTC, IWM, JNJ, JPM, KMI, KO, META, MO, MRK, NFLX, NOK, ORCL, PBR, PFE, PG, QCOM, QQQ, RIG, SPY, T, TSLA, USO, VALE, WBA, WFC, WMB, XHB, XLE, XLF, XLP, XOM and XOP.

[4] *See* Fee Schedule, Section 1)a)iii) for a complete description of the PCRP.

[5] *See* Securities Exchange Act Release No. 71700 (March 12, 2014), 79 FR 15188 (March 18, 2014) (SR–MIAX–2014–13).

[6] *See e.g.,* Securities Exchange Act Release Nos. 94878 (May 9, 2022) 87 FR 29421 (May 13, 2022) (SR–MIAX–2022–18); 89530 (August 12, 2020), 85 FR 50845 (August 18, 2020) (SR–MIAX–2020–26); 88850 (May 11, 2020), 85 FR 29497 (May 15, 2020) (SR–MIAX–2020–09); 87964 (January 14, 2020), 85 FR 3435 (January 21, 2020) (SR–MIAX–2020–01); 87790 (December 18, 2019), 84 FR 71037 (December 26, 2019) (SR–MIAX–2019–49); 85314 (March 14, 2019), 84 FR 10359 (March 20, 2019) (SR–MIAX–2019–07; 81998 (November 2, 2017), 82 FR 51897 (November 8, 2017) (SR–MIAX–2017–45); 81019 (June 26, 2017), 82 FR 29962 (June 30, 2017) (SR–MIAX–2017–29); 79301 (November 14, 2016), 81 FR 81854 (November 18, 2016) (SR–MIAX–2016–42); 74291 (February 18, 2015), 80 FR 9841 (February 24, 2015) (SR–MIAX–2015–09); 74288 (February 18, 2015), 80 FR 9837 (February 24, 2015) (SR–MIAX–2015–08); 73328 (October 9, 2014), 79 FR 62230 (October 16, 2014) (SR–MIAX–2014–50); 72567 (July 8, 2014), 79 FR 40818 (July 14, 2014) (SR–MIAX–2014–34); 72356 (June 10, 2014), 79 FR 34384 (June 16, 2014) (SR–MIAX–2014–26); 71700 (March 12, 2014), 79 FR 15188 (March 18, 2014) (SR–MIAX–2014–13).

[7] *See* Walgreens Press Release, *available at https://investor.walgreensbootsalliance.com/news-releases/news-release-details/walgreen-co-operate-private-standalone-company-following* (last visited August 28, 2025).

[8] *See* MIAX Listing Alert (August 28, 2025), *available at https://www.miaxglobal.com/alert/2025/08/28/miax-exchange-group-options-markets-delisting-walgreens-boots-alliance-inc-1* (last visited August 28, 2025).

[9] *See id.*

[10] 15 U.S.C. 78f(b).

[11] 15 U.S.C. 78f(b)(4).

particular, in that it is an equitable allocation of reasonable fees and other charges among its members and issuers and other persons using its facilities. The Exchange also believes the proposal furthers the objectives of Section 6(b)(5) of the Act [12] in that it is designed to promote just and equitable principles of trade, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general to protect investors and the public interest and is not designed to permit unfair discrimination between customers, issuers, brokers and dealers.

The Exchange believes that its proposal to remove the symbol ''WBA'' from the list of Select Symbols contained in the PCRP is consistent with Section 6(b)(4) of the Act because the proposed change will allow for the continued benefit to investors by providing them an updated list of Select Symbols contained in the PCRP on the Exchange's Fee Schedule.

The Exchange believes that the proposal to amend an option class that qualifies for the credit for transactions in Select Symbols is fair, equitable and not unreasonably discriminatory. The Exchange believes that the PCRP itself is reasonably designed because it incentivizes providers of Priority Customer [13] order flow to send that Priority Customer order flow to the Exchange in order to receive a credit in a manner that enables the Exchange to improve its overall competitiveness and strengthen its market quality for all market participants. The PCRP, which provides increased incentives in certain tiers in high volume Select Symbols, is also reasonably designed to increase the competitiveness of the Exchange with other options exchanges that also offer increased incentives to higher volume symbols.

The Exchange also believes that its proposal to remove the symbol ''WBA'' from the list of Select Symbols contained in the PCRP is consistent with Section 6(b)(5) of the Act because it will apply equally to all Priority Customer orders in Select Symbols in the PCRP. All similarly situated Priority Customer orders in Select Symbols are subject to the same rebate schedule, and access to the Exchange is offered on terms that are not unfairly discriminatory.

[12] 15 U.S.C. 78f(b)(5).

[13] The term ''Priority Customer'' means a person or entity that (i) is not a broker or dealer in securities, and (ii) does not place more than 390 orders in listed options per day on average during a calendar month for its own beneficial account(s). *See* Exchange Rule 100.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that its proposal to remove the symbol ''WBA'' from the list of Select Symbols contained in the PCRP will result in any burden on intra-market or inter-market competition that is not necessary or appropriate in furtherance of the purposes of the Act. This proposed change is a not a competitive proposal but rather is designed to update the list of Select Symbols contained in the PCRP in order to avoid potential confusion on the part of market participants and other competing options exchanges by removing a symbol that is being delisted and no longer traded on the Exchange.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

Written comments were neither solicited nor 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)(ii) of the Act,[14] and Rule 19b–4(f)(2) [15] 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. If the Commission takes such action, the Commission shall institute proceedings to determine whether the proposed rule should be approved or disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (*https://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov.* Please include file number SR–MIAX–2025–42 on the subject line.

[14] 15 U.S.C. 78s(b)(3)(A)(ii).

[15] 17 CFR 240.19b–4(f)(2).

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–MIAX–2025–42. 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–MIAX–2025–42 and should be submitted on or before October 2, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[16]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025–17451 Filed 9–10–25; 8:45 am]

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SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–103904; File No. SR–NYSEARCA–2025–24]

Self-Regulatory Organizations; NYSE Arca, Inc.; Order Instituting Proceedings To Determine Whether To Approve or Disapprove a Proposed Rule Change To List and Trade Units of the Sprott Physical Copper Trust

September 8, 2025.

On June 10, 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 units (''Units'') of the Sprott Physical Copper Trust (''Trust'') under NYSE Arca Rule 8.201–E (Commodity-Based Trust Shares). The proposed rule change was published for

[16] 17 CFR 200.30–3(a)(12).

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

comment in the **Federal Register** on June 26, 2025.[3]

On August 5, 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] The Commission is publishing this order to solicit comments on the proposed rule change from interested persons and to institute proceedings pursuant to Section 19(b)(2)(B) of the Act[6] to determine whether to approve or disapprove the proposed rule change.

I. Summary of the Exchange's Proposal

As described in more detail in the Notice,[7] the Exchange proposes to list and trade Units[8] of the Trust under NYSE Arca Rule 8.201–E,[9] which governs the listing and trading of Commodity-Based Trust Shares on the Exchange.[10] Sprott Asset Management LP (''Manager'') is the manager of the Trust.[11] WMC Energy B.V. (''WMC'') serves as technical advisor to the Manager and advises and assists with respect to the holding, buying, and selling of physical copper.[12] RBC Investor Services Trust (''RBC'') is the trustee and valuation agent of the Trust (''Trustee'' or ''Valuation Agent,'' as the case may be)[13] and the custodian of the Trust's assets, including cash, if any.[14] TSX Trust Company is the transfer agent and registrar of the Trust.

Description of the Trust

The investment objective of the Trust[15] is to invest and hold substantially all of its assets in physical copper metal in either Grade 1 Cathode[16] form or Grade A Cathode[17] form that is fully allocated or stored at a Facility (''Copper'') and cash. The Trust intends to achieve its objective by investing primarily in long-term holdings of unencumbered Copper and will not speculate with regard to short-term changes in Copper prices. The Trust will not hold any assets other than Copper and cash and does not anticipate making regular cash distributions to Unitholders. In addition, the Trust will not invest in futures, options, warrants, options on futures, swap contracts, or warehouse receipts. According to the Exchange, the Trust will not hold or trade in commodity futures contracts, ''commodity interests,'' or any other instruments regulated by the Commodity Exchange Act.

The Trust will issue Units, each of which represents an equal, fractional undivided ownership interest in the net assets of the Trust attributable to the particular class of Units. Except with respect to cash held by the Trust to pay expenses and anticipated redemptions, the Trust expects to own only Copper. The investment objective of the Trust is for the Units to reflect the performance of the price of Copper, less the expenses of the Trust's operations.

According to the Exchange, the Trust will store its Copper with Warehouse Providers (as defined in the Registration Statement) at Facilities that are reputable and exclusively in warehouses that are approved by the Chicago Mercantile Exchange (''CME'')

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[3] *See* Securities Exchange Act Release No. 103296 (June 23, 2025), 90 FR 27362 (''Notice''). Comments on the proposed rule change are available at: *https://www.sec.gov/comments/sr-nysearca-2025-24/srnysearca202524.htm.*

[4] 15 U.S.C. 78s(b)(2).

[5] *See* Securities Exchange Act Release No. 103634, 90 FR 38528 (Aug. 8, 2025). The Commission designated September 24, 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] Additional information regarding the Trust, Units, Copper industry, supply and demand, and markets, redemption and termination events, net asset value, intraday indicative value, availability of information pertaining to Copper, trading rules and halts, surveillance, and information bulletin, among other things, can be found in the Notice and Registration Statement (as defined herein). *See* Notice, *supra* note 3 and accompanying text; *infra* note 9.

[8] According to the Exchange, Units of the Trust currently trade on the Toronto Stock Exchange under the symbol ''COP.U'' in U.S. dollars and ''COP.UN'' in Canadian dollars. The Exchange represents that the Units satisfy the requirements of NYSE Arca Rule 8.201–E and thereby qualify for listing on the Exchange.

[9] The Trust will file with the Commission a registration statement on Form 40–F to register the Units (''Registration Statement'') under Section 12 of the Securities Exchange Act of 1934, and will file with the Commission as part of such Registration Statement all information material to an investment decision that the Trust, since the beginning of its last full fiscal year: (i) made or was required to make public pursuant to the law of any Canadian jurisdiction, (ii) filed or was required to file with a stock exchange on which its securities are traded and which was made public by such exchange, or (iii) distributed or was required to distribute to its securityholders. The Registration Statement is not yet effective, and the Units will not trade on the Exchange until such time that the Registration Statement is effective.

[10] The term ''Commodity-Based Trust Shares'' means a security (a) that is issued by a trust that holds a specified commodity deposited with the trust; (b) that is issued by such trust in a specified aggregate minimum number in return for a deposit of a quantity of the underlying commodity; and (c) that, when aggregated in the same specified minimum number, may be redeemed at a holder's request by such trust which will deliver to the redeeming holder the quantity of the underlying commodity. *See* NYSE Arca Rule 8.201–E(c)(1).

[11] The Manager is a limited partnership formed and organized under the laws of the Province of Ontario, Canada, and acts as manager of the Trust pursuant to the Trust Agreement (as defined herein) and the management agreement. The Manager is responsible for the day-to-day activities and administration of the Trust. The Manager manages and directs the business and affairs of the Trust. Additional details regarding the Manager are set forth in the Registration Statement. The Manager has adopted a policy pursuant to which any entity or account that is: (a) managed; or (b) for whom investment decisions are made, directly or indirectly, by a person that is involved in the decision-making process of, or has non-public information about, follow-on offerings of the Trust is prohibited from investing in the Trust, and no such decision-making person is permitted to invest in the Trust for that decision-making person's benefit, directly or indirectly. The Manager has a fiduciary responsibility under applicable Canadian law to act in the best interest of the Trust.

[12] WMC is an independent physical commodity merchant and industrial asset development company established to provide physical supply chain solutions to the nuclear and energy transition metals industries, and sources, stores, finances and delivers physical commodities worldwide.

[13] RBC is a trust company existing under the laws of Canada. RBC is affiliated with a broker-dealer. RBC has represented to the Exchange that it has put in place and will maintain the appropriate information barriers and controls between itself and the broker-dealer affiliate so that the broker-dealer affiliate will not have access to information concerning the composition and/or changes to the Trust's holdings that are not available on the Trust's website. The Trustee holds title to the Trust's assets on behalf of the unitholders of the Trust (''Unitholders'') and has exclusive authority over the assets and affairs of the Trust but has delegated the day-to-day activities and administration of the affairs of the Trust to the Manager. The Trustee has a fiduciary responsibility to act in the best interest of the Unitholders. Additional details regarding the Trustee are set forth in the Registration Statement.

[14] According to the Exchange, the Trustee is responsible for the safekeeping of all the assets of the Trust delivered to it and acts as the custodian of such assets. The Trustee is not responsible for the safekeeping of the Trust's physical copper. The Manager, with the consent of the Trustee, has the authority to change the custodial arrangement, including, but not limited to, the appointment of a replacement custodian and/or additional custodians. Additional details regarding the Trustee and the custodial arrangements of the Trust are set forth in the Registration Statement.

[15] According to the Exchange, the Trust was established as of April 12, 2024 under the laws of the Province of Ontario, Canada, and its provisions and features are set out in an amended and restated trust agreement dated as of May 10, 2024 (''Trust Agreement''). The Trust has obtained exemptive relief from the Canadian securities regulatory authorities for relief from certain requirements of National Instrument 81–102—*Investment Funds,* legislation which governs mutual funds and non-redeemable investment funds in each of the provinces and territories of Canada (''Exemptive Relief''), to permit the Trust to, among other things, appoint the Facilities (as defined in the Registration Statement) as custodians of the Trust's Copper. Pursuant to the Exemptive Relief granted to the Trust, the Trust is not subject to certain of the policies and regulations of the Canadian Securities Administrators that apply to other non-redeemable investment funds.

[16] The term ''Grade 1 Cathode'' means a physical copper metal cathode that, at the time of purchase by the Trust, satisfies the CME standards for classification as a Grade 1 electrolytic copper cathode.

[17] The term ''Grade A Cathode'' means a physical copper metal cathode that, at the time of purchase by the Trust, satisfies the LME standards for classification as Grade A copper.

or the London Metal Exchange (''LME''), which is the main global market standard for physical metal warehousing services that is accepted by market participants and financiers. The Trust will only store Copper with such Facilities at locations in Belgium, Canada, Germany, Italy, Malaysia, the Netherlands, Singapore, South Korea, Spain, Sweden, the United Arab Emirates and the United States. In addition, the Manager will maintain market standard insurance for the physical Copper stored with Warehouse Providers. Finally, the Facilities to be used by the Trust are owned or contracted by the Warehouse Providers, which are well-regarded multi-national providers of global storage for physical metals.

Description of the Units

According to the Exchange, the Trust is authorized to issue an unlimited number of Units in one or more classes and series of a class. Currently, the Trust has issued only one class or series of Units.[18] All Units of the same class or series of a class will have equal rights and privileges with respect to all matters, including voting, receipt of distributions from the Trust, liquidation and other events in connection with the Trust. Units and fractions thereof are issued only as fully paid and non-assessable. Units will have no preference, conversion, exchange, or pre-emptive rights. In addition, subject to limitations and requirements determined from time to time by the Manager, each unit of a particular class or series of a class of the Trust may be redesignated by the Manager as a unit of another class or series of the Trust.

As noted above, each Unit represents an equal, fractional, undivided ownership interest in the net assets of the Trust attributable to the particular class of Units. The Trust may issue additional Units (i) in future offerings if the gross proceeds received by the Trust per Unit are not less than 100% of the most recently calculated NAV; (ii) by way of distribution in Units in connection with an income distribution; or (iii) with the approval of Unitholders by extraordinary resolution.

Net Asset Value

The NAV for each class of Units will be calculated by the Valuation Agent as of 4:00 p.m. Eastern time, on each Business Day. The Trust will report a daily NAV, based on the value of the Copper assets held by the Trust. According to the Registration Statement, the fair market value of the Copper held by the Trust will be based on reported spot prices from Fastmarkets, a globally recognized price reporter.[19]

The NAV as of the valuation time on each Business Day will be the amount obtained by deducting from the aggregate fair market value of the assets of the Trust as of such date an amount equal to the value of the liabilities of the Trust (excluding all liabilities represented by outstanding Units, if any) as of such date. The Valuation Agent calculates the NAV per Unit by dividing the value of the net assets of the class of the Trust represented by the Units on such day by the total number of Units of that class then outstanding on such day.

Prior to commencement of trading in the Units, the Exchange will obtain a representation from the Trust that the NAV per Unit will be calculated daily and will be made available to all market participants at the same time.

II. Proceedings To Determine Whether To Approve or Disapprove SR–NYSEARCA–2025–24 and Grounds for Disapproval Under Consideration

The Commission is instituting proceedings pursuant to Section 19(b)(2)(B) of the Act[20] to determine whether the proposed rule change should be approved or disapproved. Institution of such proceedings is appropriate at this time in view of the legal and policy issues raised by the proposal. Institution of proceedings does not indicate that the Commission has reached any conclusions with respect to any of the issues involved. Rather, as described below, the Commission seeks and encourages interested persons to provide comments on the proposed rule change.

Pursuant to Section 19(b)(2)(B) of the Act,[21] the Commission is providing notice of the grounds for disapproval under consideration. The Commission is instituting proceedings to allow for additional analysis of the proposal's consistency with Section 6(b)(5) of the Act, which requires, among other things, that the rules of a national securities exchange be ''designed to prevent fraudulent and manipulative acts and practices'' and ''to protect investors and the public interest.'' [22]

The Commission asks that commenters address the sufficiency of the Exchange's statements in support of the proposal, which are set forth in the Notice,[23] in addition to any other comments they may wish to submit about the proposed rule change. In particular, the Commission seeks comment on whether the proposal is consistent with Section 6(b)(5) of the Act,[24] and specifically, whether the proposed rule change is designed to prevent fraudulent and manipulative acts and practices.

III. Procedure: Request for Written Comments

The Commission requests that interested persons provide written submissions of their views, data, and arguments with respect to the issues identified above, as well as any other concerns they may have with the proposal. In particular, the Commission invites the written views of interested persons concerning whether the proposed rule change is consistent with Section 6(b)(5) or any other provision of the Act, and the rules and regulations thereunder. Although there do not appear to be any issues relevant to approval or disapproval that would be facilitated by an oral presentation of views, data, and arguments, the Commission will consider, pursuant to Rule 19b–4, any request for an opportunity to make an oral presentation.[25]

Interested persons are invited to submit written data, views, and arguments regarding whether the proposed rule change should be

[18] According to the Trust's website, as of March 11, 2025, the total net asset value (''NAV'') of the Trust and the NAV per unit of the Trust were US$99.2 and US$8.99, respectively, and there were a total of 11,034,857 Units issued and outstanding.

[19] According to the Exchange, the Trust is a mutual fund under applicable Canadian securities legislation and must calculate its NAV pursuant to Part 14 of National Instrument 81–106—Investment Fund Continuous Disclosure (''NI 81–106''), a rule applicable to Canadian mutual funds and administered by Canadian securities regulatory authorities. Pursuant to Subsection 14.2(1) of NI 81–106, the Trust must subtract the ''fair value'' of its liabilities from the fair value of its assets when calculating its NAV. Subsection 14.2(1.2) of NI 81–106 defines fair value as (a) the market value based on reported prices and quotations in an active market; or (b) if the market value is not available, or the Manager believes that it is unreliable, a value that is fair and reasonable in all the relevant circumstances, and requires the Manager to establish and maintain appropriate written policies and procedures for determining fair value of the Trust's assets and liabilities and to consistently follow those policies and procedures.

[20] 15 U.S.C. 78s(b)(2)(B).

[21] *Id.*

[22] 15 U.S.C. 78f(b)(5).

[23] *See* Notice, *supra* note 3.

[24] 15 U.S.C. 78f(b)(5).

[25] Section 19(b)(2) of the Act, as amended by the Securities Acts Amendments of 1975, Public Law 94–29 (June 4, 1975), grants the Commission flexibility to determine what type of proceeding—either oral or notice and opportunity for written comments—is appropriate for consideration of a particular proposal by a self-regulatory organization. *See* Securities Acts Amendments of 1975, Senate Comm. on Banking, Housing & Urban Affairs, S. Rep. No. 75, 94th Cong., 1st Sess. 30 (1975).

approved or disapproved by October 2, 2025. Any person who wishes to file a rebuttal to any other person's submission must file that rebuttal by October 16, 2025.

Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (*https://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov.* Please include file number SR–NYSEARCA–2025–24 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–NYSEARCA–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–NYSEARCA–2025–24 and should be submitted on or before October 2, 2025. Rebuttal comments should be submitted by October 16, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[26]

Sherry R. Haywood,

Assistant Secretary.

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BILLING CODE 8011–01–P

[26] 17 CFR 200.30–3(a)(57).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–103907; File No. SR–PEARL–2025–40]

Self-Regulatory Organizations; MIAX PEARL, LLC; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Introduce a New Version of the Open-Close Report To Be Known as the One-Minute Interval Intra-Day Open-Close Report

September 8, 2025.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act''),[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on August 27, 2025, MIAX PEARL, LLC (''MIAX PEARL'' or ''Exchange'') filed with the Securities and Exchange Commission (''Commission'') the proposed rule change as described in Items I and II below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to introduce a new version of the Open-Close Report to be known as the One-Minute Interval Intra-Day Open-Close Report. This proposal is based on recent proposals from other options exchanges that offer substantively similar data products.[3]

The text of the proposed rule change is available on the Exchange's website at *https://www.miaxglobal.com/markets/us-options/all-options-exchanges/rule-filings* and at the Exchange's principal office.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange proposes to introduce a new version of the Open-Close Report to be known as the One-Minute Interval Intra-Day Open-Close Report, which will be available for purchase by Exchange Members[4] and non-Members.[5]

By way of background, the Exchange currently offers End-of-Day (''EOD'') and Intra-Day Open-Close Report data products. The EOD Open-Close Report is an end-of-day volume summary of trading activity on the Exchange at the option level by origin (Priority Customer,[6] Non-Priority Customer, Firm, Broker-Dealer, and Market Maker[7]), side of the market (buy or sell), contract volume, and transaction type (opening or closing). The Priority Customer, Non-Priority Customer, Firm, Broker-Dealer, and Market Maker volume is further broken down into trade size buckets (less than 100 contracts, 100–199 contracts, greater than 199 contracts). The EOD Open-Close Report provides proprietary Exchange trade data and does not include trade data from any other exchange. It is also a historical data product and not a real-time data feed.

The Exchange also offers the Intra-Day Open-Close Report, which provides similar information to that of EOD Open-Close Report, but is produced and updated every 10 minutes during the trading day. Data is captured in ''snapshots'' taken every 10 minutes throughout the trading day and is available to subscribers within five minutes of the conclusion of each 10-minute period.[8] The Intraday Open-Close Report provides a volume summary of trading activity on the Exchange at the option level by origin (Priority Customer, Non-Priority Customer, Firm, Broker-Dealer, and

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] *See* Securities Exchange Act Release No. 103322 (June 25, 2025), 90 FR 27887 (June 30, 2025) (SR–CboeBZX–2025–079); 103323 (June 25, 2025), 90 FR 27884 (June 30, 2025) (SR–CBOE–2025–042); *and* 103321 (June 25, 2025), 90 FR 27894 (June 30, 2025) (SR–CboeEDGX–2025–047).

[4] *See* Exchange Rule 100.

[5] The Exchange intends to submit a separate rule filing to establish fees for the One-Minute Interval Intra-Day Open-Close Report.

[6] *See* Exchange Rule 100.

[7] *Id.*

[8] For example, subscribers to the intra-day product would receive the first calculation of intra-day data no later than 9:45 a.m. ET, which represents data captured from 9:30 a.m. to 9:40 a.m. Subscribers will receive the next update by 9:55 a.m., representing the data previously provided aggregated with data captured up to 9:50 a.m., and so forth. Each update represents the aggregate data captured from the current ''snapshot'' and all previous ''snapshots.''

Market Maker), side of the market (buy or sell), and transaction type (opening or closing). All volume is further broken down into trade size buckets (less than 100 contracts, 100–199 contracts, greater than 199 contracts). The Intra-Day Open-Close Report provides proprietary Exchange trade data and does not include trade data from any other exchange. All Open-Close Report data products are completely voluntary products, in that the Exchange is not required by any rule or regulation to make this data available and that potential customers may purchase it on an ad-hoc basis only if they voluntarily choose to do so.

The Exchange now proposes to offer an Intra-Day Open-Close Report that provides the same data as the existing Intra-Day Open-Close Report, except that it will be produced and updated every one minute during the trading day (the ''One-Minute Interval Intra-Day Open-Close Report''). The One-Minute Interval Intra-Day Open-Close Report will be captured in ''snapshots'' taken every one minute throughout the trading day and would be available to subscribers within five minutes of the conclusion of each one-minute period.[9] Similar to the existing Intra-Day Open-Close Report, the One-Minute Interval Intra-Day Open-Close Report provides a volume summary of trading activity on the Exchange at the option level by origin (Priority Customer, Non-Priority Customer, Firm, Broker-Dealer, and Market Maker), side of the market (buy or sell), and transaction type (opening or closing). The Priority Customer, Non-Priority Customer, Firm, Broker-Dealer, and Market Maker volume are further broken down into trade size buckets (less than 100 contracts, 100–199 contracts, greater than 199 contracts). The One-Minute Interval Intra-Day Open-Close Report provides proprietary Exchange trade data and does not include trade data from any other exchange.

The Exchange anticipates a wide variety of market participants would utilize and purchase the One-Minute Interval Intra-Day Open-Close Report, including, but not limited to, individual customers, buy-side investors, and investment banks. The Exchange believes the proposed One-Minute Interval Intra-Day Open-Close Report may also provide helpful trading information regarding investor sentiment that may allow market participants to make better trading decisions throughout the day and may be used to create and test trading models and analytical strategies and provides comprehensive insight into trading on the Exchange. For example, more frequent intra-day open data may allow a market participant to identify new interest or possible risk throughout the trading day, while intra-day closing data may allow a market participant to identify fading interests in a security. The proposed product is a completely voluntary product, in that the Exchange is not required by any rule or regulation to make this data available and that potential subscribers may purchase it only if they voluntarily choose to do so. The Exchange notes that other exchanges recently filed proposals with the Commission to offer substantively similar data products as proposed herein with regard to proprietary data of those exchanges.[10]

The Exchange further notes that the data fields themselves that are provided in the existing Intra-Day Open-Close Report are the same as the proposed One-Minute Interval Intra-Day Open-Close Report. The only distinction is that there will be more data reporting intervals provided within the One-Minute Interval Intra-Day Open-Close Report as the data is delivered based on one-minute intervals as opposed to ten-minute intervals.

Implementation

The Exchange will announce via an Exchange Alert the implementation date of the proposed rule change following the operative date of this rule filing.

2. Statutory Basis

The Exchange believes the proposed rule change is consistent with the Exchange Act and the rules and regulations thereunder applicable to the Exchange and, in particular, the requirements of Section 6(b) of the Act.[11] Specifically, the Exchange believes the proposed rule change is consistent with the Section 6(b)(5)[12] 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 adopting Regulation NMS, the Commission granted self-regulatory organizations (''SROs'') and broker-dealers increased authority and flexibility to offer new and unique market data to the public. It was believed that this authority would expand the amount of data available to consumers, and also spur innovation and competition for the provision of market data. The Exchange believes that the proposed One-Minute Interval Intra-Day Open-Close Report would further broaden the availability of U.S. option market data to investors consistent with the principles of Regulation NMS. The proposal also promotes increased transparency through the dissemination of Intra-Day Open-Close Report at one-minute intervals. The proposed rule change would benefit investors by providing access to the One-Minute Interval Intra-Day Open-Close Report, which as noted above, may promote better informed trading. Particularly, information regarding opening and closing activity across different option series may indicate investor sentiment, which can be helpful trading information. Subscribers to the proposed data product may be able to enhance their ability to analyze option trade and volume data on an intraday basis, and create and test trading models and analytical strategies. The Exchange believes the One-Minute Interval Intra-Day Open-Close Report provides a valuable tool that subscribers can use to gain comprehensive insight into the trading activity in a particular series, but also emphasizes such data is not necessary for trading. The Exchange believes that market participants may find it beneficial to receive additional data based on these shorter intervals as opposed to the existing 10-minute intervals provided in the current Intra-Day Open-Close Report. While use cases are the same as the existing 10-minute intervals currently provided, the increased frequency provides more current information and, more data reporting intervals throughout the day to gain knowledge of the trading activity by origin. Of further note, the Exchange has created this proposed new report in response to customer feedback. Moreover, as mentioned above, other exchanges recently filed proposals to

[9] For example, subscribers to the one-minute intra-day product would receive the first calculation of intra-day data by approximately 9:34 a.m. ET, which represents data captured from 9:30 a.m. to 9:31 a.m. Subscribers will receive the next update at 9:35 a.m., representing the data previously provided together with data captured from 9:31 a.m. through 9:32 a.m., and so forth. Each update will represent the aggregate data captured from the current ''snapshot'' and all previous ''snapshots.'' There may be variability in the time delivered during the day based on market activity; the Exchange expects to deliver this in intervals ranging from 2–5 minutes after the one-minute interval.

[10] *See supra* note 3.

[11] 15 U.S.C. 78f(b).

[12] 15 U.S.C. 78f(b)(5).

establish substantively similar data products.[13]

Further, as mentioned above, the Exchange currently provides an Intra-Day Open-Close Report that contains the same values, the only distinction is that the proposed product will be provided on a more frequent basis, allowing for subscribing market participants to have more data reporting intervals. The Exchange believes this proposed product is the innovation and competition that Regulation NMS sought to create.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will result in any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. Rather, the Exchange believes that the proposal will promote competition by permitting the Exchange to offer a data product that is substantively similar to those offered by other options exchanges.[14]

The Exchange proposes to introduce the One-Minute Interval Intra-Day Open-Close Report in order to keep pace with changes in the industry and evolving customer needs, and believes this proposed rule change would contribute to robust competition among national securities exchanges, by meeting the needs of such customers. The Exchange has received feedback from customers that additional data intervals would be helpful to review. While use cases are the same as the existing 10-minute intervals currently provided, the increased frequency provides more current information and more data reporting intervals throughout the day to gain knowledge of the trading activity by origin.

Moreover, the proposal would enable the Exchange to offer similar products as other exchanges who recently filed proposals to establish substantively similar data products.[15] As a result, the Exchange believes this proposed rule change permits fair competition among national securities exchanges. Therefore, the Exchange does not believe the proposed rule change will result in any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. Furthermore, this product offering is entirely optional and is available to anyone who believes this data will be helpful for their purposes. As such, the Exchange does not believe this proposed rule change places a burden on intra-market competition.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

Written comments were neither solicited nor received.

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[16] and Rule 19b–4(f)(6)[17] 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 after the date of filing, or such shorter time as the Commission may designate, it has become effective pursuant to Section 19(b)(3)(A) of the Act[18] and Rule 19b–4(f)(6)[19] thereunder.

A proposed rule change filed under Rule 19b–4(f)(6)[20] normally does not become operative prior to 30 days after the date of the filing. However, pursuant to Rule 19b–4(f)(6)(iii),[21] the Commission may designate a shorter time if such action is consistent with the protection of investors and the public interest. The Exchange has asked the Commission to waive the 30-day operative delay so that the proposal may become operative immediately upon filing and the Exchange can offer its One-Minute Interval Intra-Day Open-Close Report, which the Exchange created in response to customer feedback, sooner. The Exchange states that the proposal will offer an additional, improved product that is similar to one already offered by the Exchange and that is offered by other exchanges.[22] For these reasons, and because this proposal does not raise any novel regulatory issues, the Commission finds that waiver of the 30-day operative delay is consistent with the protection of investors and the public interest. Therefore, the Commission hereby waives the 30-day operative delay and designates the proposal operative upon filing.[23]

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission will institute proceedings under Section 19(b)(2)(B)[24] of the Act to determine whether the proposed rule change should be approved or disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (*https://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov.* Please include file number SR–PEARL–2025–40 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–PEARL–2025–40. 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

[13] *See supra* note 3.

[14] *See supra* note 3.

[15] *Id.*

[16] 15 U.S.C. 78s(b)(3)(A).

[17] 17 CFR 240.19b–4(f)(6).

[18] 15 U.S.C. 78s(b)(3)(A).

[19] 17 CFR 240.19b–4(f)(6). In addition, Rule 19b–4(f)(6) 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.

[20] 17 CFR 240.19b–4(f)(6).

[21] 17 CFR 240.19b–4(f)(6)(iii).

[22] *See supra* note 3.

[23] 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).

[24] 15 U.S.C. 78s(b)(2)(B).

SR–PEARL–2025–40 and should be submitted on or before October 2, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[25]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025–17449 Filed 9–10–25; 8:45 am]

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SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–103903; File Nos. SR–MIAX–2025–07; SR–PEARL–2025–08; SR–SAPPHIRE–2025–12]

Self-Regulatory Organizations; Miami International Securities Exchange, LLC; MIAX PEARL, LLC; MIAX Sapphire, LLC; 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 Partial Amendments Thereto, To Amend Rule 402, Criteria for Underlying Securities, To List and Trade Options on Commodity-Based Trust Shares

September 8, 2025.

On March 5, 2025, Miami International Securities Exchange, LLC (''MIAX''), MIAX PEARL, LLC (''MIAX Pearl''), and MIAX Sapphire, LLC (''MIAX Sapphire'') 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] proposed rule changes to amend Rule 402, Criteria for Underlying Securities, of their respective rulebooks to list and trade options on units that represent interests in a trust that is a Commodity-Based Trust. On March 11, 2025, MIAX, MIAX Pearl and MIAX Sapphire each filed Partial Amendment No. 1 to their respective proposed rule changes. On March 12, 2025, MIAX Pearl and MIAX Sapphire each filed Partial Amendment No. 2 (with Partial Amendment No. 1, collectively ''Partial Amendments'') to their respective proposed rule changes. The proposed rule changes, as modified by the applicable Partial Amendments, were published for comment in the **Federal Register** on March 19, 2025.[3] On April 25, 2025, pursuant to Section 19(b)(2) of the Act,[4] the Commission designated a longer period within which to approve the proposed rule changes, disapprove the proposed rule changes, or institute proceedings to determine whether to disapprove the proposed rule changes, as modified by the applicable Partial Amendments.[5]

On June 17, 2025, the Commission instituted proceedings under Section 19(b)(2)(B) of the Act[6] to determine whether to approve or disapprove the proposed rule changes, as modified by the applicable Partial Amendments.[7] The Commission has not received any comments on the proposed rule changes, as modified by the applicable Partial Amendments.

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 the 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 changes, as modified by the applicable Partial Amendments, were published for notice and comment in the **Federal Register** on March 19, 2025.[9] The 180th day after publication of the Notices is September 15, 2025. The Commission is extending the time period for approving or disapproving the proposed rule changes, as modified by the applicable Partial Amendments, 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 changes so that it has sufficient time to consider the proposed rule changes, as modified by the applicable Partial Amendments. Accordingly, the Commission, pursuant to Section 19(b)(2) of the Act,[10] designates November 14, 2025, as the date by which the Commission shall either approve or disapprove the proposed rule changes, as modified by the applicable Partial Amendments (File Nos. SR–MIAX–2025–07; SR–PEARL–2025–08; SR–SAPPHIRE–2025–12).

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[11]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025–17445 Filed 9–10–25; 8:45 am]

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SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–103908; File No. SR–MIAX–2025–39]

Self-Regulatory Organizations; Miami International Securities Exchange, LLC; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Introduce a New Version of the Open-Close Report To Be Known as the One-Minute Interval Intra-Day Open-Close Report

September 8, 2025.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act''),[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on August 27, 2025, Miami International Securities Exchange, LLC (''MIAX'' or ''Exchange'') filed with the Securities and Exchange Commission (''Commission'') the proposed rule change as described in Items I and II below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to introduce a new version of the Open-Close Report to be known as the One-Minute Interval Intra-Day Open-Close Report. This proposal is based on recent proposals from other options exchanges that offer substantively similar data products.[3]

The text of the proposed rule change is available on the Exchange's website at *https://www.miaxglobal.com/markets/us-options/all-options-exchanges/rule-filings* and at the Exchange's principal office.

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[25] 17 CFR 200.30–3(a)(12) and (59).

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] *See* Securities Exchange Act Release Nos. 102658 (Mar. 13, 2025), 90 FR 12870 (SR–MIAX–2025–07); 102659 (Mar. 13, 2025), 90 FR 12876 (SR–PEARL–2025–08); 102660 (Mar. 13, 2025), 90 FR 12859 (SR–SAPPHIRE–2025–12) (collectively, ''Notices'').

[4] 15 U.S.C. 78s(b)(2).

[5] *See* Securities Exchange Act Release Nos. 102928, 90 FR 18717 (May 1, 2025) (SR–SAPPHIRE–2025–12); 102929, 90 FR 18718 (May 1, 2025) (SR–PEARL–2025–08); 102932, 90 FR 18715 (May 1, 2025) (SR–MIAX–2025–07).

[6] 15 U.S.C. 78s(b)(2)(B).

[7] *See* Securities Exchange Act Release No. 103283, 90 FR 26634 (June 23, 2025).

[8] 15 U.S.C. 78s(b)(2).

[9] *See* Notices, *supra* note 3.

[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. 103322 (June 25, 2025), 90 FR 27887 (June 30, 2025) (SR–CboeBZX–2025–079); 103323 (June 25, 2025), 90 FR 27884 (June 30, 2025) (SR–CBOE–2025–042); *and* 103321 (June 25, 2025), 90 FR 27894 (June 30, 2025) (SR–CboeEDGX–2025–047).

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange proposes to introduce a new version of the Open-Close Report to be known as the One-Minute Interval Intra-Day Open-Close Report, which will be available for purchase by Exchange Members [4] and non-Members.[5]

By way of background, the Exchange currently offers End-of-Day (''EOD'') and Intra-Day Open-Close Report data products. The EOD Open-Close Report is an end-of-day volume summary of trading activity on the Exchange at the option level by origin (Priority Customer,[6] Non-Priority Customer, Firm, Broker-Dealer, and Market Maker [7]), side of the market (buy or sell), contract volume, and transaction type (opening or closing). The Priority Customer, Non-Priority Customer, Firm, Broker-Dealer, and Market Maker volume is further broken down into trade size buckets (less than 100 contracts, 100–199 contracts, greater than 199 contracts). The EOD Open-Close Report provides proprietary Exchange trade data and does not include trade data from any other exchange. It is also a historical data product and not a real-time data feed.

The Exchange also offers the Intra-Day Open-Close Report, which provides similar information to that of EOD Open-Close Report, but is produced and updated every 10 minutes during the trading day. Data is captured in ''snapshots'' taken every 10 minutes throughout the trading day and is available to subscribers within five minutes of the conclusion of each 10-minute period.[8] The Intraday Open-Close Report provides a volume summary of trading activity on the Exchange at the option level by origin (Priority Customer, Non-Priority Customer, Firm, Broker-Dealer, and Market Maker), side of the market (buy or sell), and transaction type (opening or closing). All volume is further broken down into trade size buckets (less than 100 contracts, 100–199 contracts, greater than 199 contracts). The Intra-Day Open-Close Report provides proprietary Exchange trade data and does not include trade data from any other exchange. All Open-Close Report data products are completely voluntary products, in that the Exchange is not required by any rule or regulation to make this data available and that potential customers may purchase it on an ad-hoc basis only if they voluntarily choose to do so.

The Exchange now proposes to offer an Intra-Day Open-Close Report that provides the same data as the existing Intra-Day Open-Close Report, except that it will be produced and updated every one minute during the trading day (the ''One-Minute Interval Intra-Day Open-Close Report''). The One-Minute Interval Intra-Day Open-Close Report will be captured in ''snapshots'' taken every one minute throughout the trading day and would be available to subscribers within five minutes of the conclusion of each one-minute period.[9] Similar to the existing Intra-Day Open-Close Report, the One-Minute Interval Intra-Day Open-Close Report provides a volume summary of trading activity on the Exchange at the option level by origin (Priority Customer, Non-Priority Customer, Firm, Broker-Dealer, and Market Maker), side of the market (buy or sell), and transaction type (opening or closing). The Priority Customer, Non-Priority Customer, Firm, Broker-Dealer, and Market Maker volume are further broken down into trade size buckets (less than 100 contracts, 100–199 contracts, greater than 199 contracts). The One-Minute Interval Intra-Day Open-Close Report provides proprietary Exchange trade data and does not include trade data from any other exchange.

The Exchange anticipates a wide variety of market participants would utilize and purchase the One-Minute Interval Intra-Day Open-Close Report, including, but not limited to, individual customers, buy-side investors, and investment banks. The Exchange believes the proposed One-Minute Interval Intra-Day Open-Close Report may also provide helpful trading information regarding investor sentiment that may allow market participants to make better trading decisions throughout the day and may be used to create and test trading models and analytical strategies and provides comprehensive insight into trading on the Exchange. For example, more frequent intra-day open data may allow a market participant to identify new interest or possible risk throughout the trading day, while intra-day closing data may allow a market participant to identify fading interests in a security. The proposed product is a completely voluntary product, in that the Exchange is not required by any rule or regulation to make this data available and that potential subscribers may purchase it only if they voluntarily choose to do so. The Exchange notes that other exchanges recently filed proposals with the Commission to offer substantively similar data products as proposed herein with regard to proprietary data of those exchanges.[10]

The Exchange further notes that the data fields themselves that are provided in the existing Intra-Day Open-Close Report are the same as the proposed One-Minute Interval Intra-Day Open-Close Report. The only distinction is that there will be more data reporting intervals provided within the One-Minute Interval Intra-Day Open-Close Report as the data is delivered based on one-minute intervals as opposed to ten-minute intervals.

Implementation

The Exchange will announce via an Exchange Alert the implementation date of the proposed rule change following the operative date of this rule filing.

[4] *See* Exchange Rule 100.

[5] The Exchange intends to submit a separate rule filing to establish fees for the One-Minute Interval Intra-Day Open-Close Report.

[6] *See* Exchange Rule 100.

[7] *Id.*

[8] For example, subscribers to the intra-day product would receive the first calculation of intra-day data no later than 9:45 a.m. ET, which represents data captured from 9:30 a.m. to 9:40 a.m. Subscribers will receive the next update by 9:55 a.m., representing the data previously provided aggregated with data captured up to 9:50 a.m., and so forth. Each update represents the aggregate data captured from the current ''snapshot'' and all previous ''snapshots.''

[9] For example, subscribers to the one-minute intra-day product would receive the first calculation of intra-day data by approximately 9:34 a.m. ET, which represents data captured from 9:30 a.m. to 9:31 a.m. Subscribers will receive the next update at 9:35 a.m., representing the data previously provided together with data captured from 9:31 a.m. through 9:32 a.m., and so forth. Each update will represent the aggregate data captured from the current ''snapshot'' and all previous ''snapshots.'' There may be variability in the time delivered during the day based on market activity; the Exchange expects to deliver this in intervals ranging from 2–5 minutes after the one-minute interval.

[10] *See supra* note 3.

2. Statutory Basis

The Exchange believes the proposed rule change is consistent with the Exchange Act and the rules and regulations thereunder applicable to the Exchange and, in particular, the requirements of Section 6(b) of the Act.[11] Specifically, the Exchange believes the proposed rule change is consistent with the Section 6(b)(5)[12] 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 adopting Regulation NMS, the Commission granted self-regulatory organizations (''SROs'') and broker-dealers increased authority and flexibility to offer new and unique market data to the public. It was believed that this authority would expand the amount of data available to consumers, and also spur innovation and competition for the provision of market data. The Exchange believes that the proposed One-Minute Interval Intra-Day Open-Close Report would further broaden the availability of U.S. option market data to investors consistent with the principles of Regulation NMS. The proposal also promotes increased transparency through the dissemination of Intra-Day Open-Close Report at one-minute intervals. The proposed rule change would benefit investors by providing access to the One-Minute Interval Intra-Day Open-Close Report, which as noted above, may promote better informed trading. Particularly, information regarding opening and closing activity across different option series may indicate investor sentiment, which can be helpful trading information. Subscribers to the proposed data product may be able to enhance their ability to analyze option trade and volume data on an intraday basis, and create and test trading models and analytical strategies. The Exchange believes the One-Minute Interval Intra-Day Open-Close Report provides a valuable tool that subscribers can use to gain comprehensive insight into the trading activity in a particular series, but also emphasizes such data is not necessary for trading. The Exchange believes that market participants may find it beneficial to receive additional data based on these shorter intervals as opposed to the existing 10-minute intervals provided in the current Intra-Day Open-Close Report. While use cases are the same as the existing 10-minute intervals currently provided, the increased frequency provides more current information and, more data reporting intervals throughout the day to gain knowledge of the trading activity by origin. Of further note, the Exchange has created this proposed new report in response to customer feedback. Moreover, as mentioned above, other exchanges recently filed proposals to establish substantively similar data products.[13]

Further, as mentioned above, the Exchange currently provides an Intra-Day Open-Close Report that contains the same values, the only distinction is that the proposed product will be provided on a more frequent basis, allowing for subscribing market participants to have more data reporting intervals. The Exchange believes this proposed product is the innovation and competition that Regulation NMS sought to create.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will result in any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. Rather, the Exchange believes that the proposal will promote competition by permitting the Exchange to offer a data product that is substantively similar to those offered by other options exchanges.[14]

The Exchange proposes to introduce the One-Minute Interval Intra-Day Open-Close Report in order to keep pace with changes in the industry and evolving customer needs, and believes this proposed rule change would contribute to robust competition among national securities exchanges, by meeting the needs of such customers. The Exchange has received feedback from customers that additional data intervals would be helpful to review. While use cases are the same as the existing 10-minute intervals currently provided, the increased frequency provides more current information and more data reporting intervals throughout the day to gain knowledge of the trading activity by origin.

Moreover, the proposal would enable the Exchange to offer similar products as other exchanges who recently filed proposals to establish substantively similar data products.[15] As a result, the Exchange believes this proposed rule change permits fair competition among national securities exchanges. Therefore, the Exchange does not believe the proposed rule change will result in any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. Furthermore, this product offering is entirely optional and is available to anyone who believes this data will be helpful for their purposes. As such, the Exchange does not believe this proposed rule change places a burden on intra-market competition.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

Written comments were neither solicited nor received.

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[16] and Rule 19b–4(f)(6)[17] 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 after the date of filing, or such shorter time as the Commission may designate, it has become effective pursuant to Section 19(b)(3)(A) of the Act[18] and Rule 19b–4(f)(6)[19] thereunder.

A proposed rule change filed under Rule 19b–4(f)(6)[20] normally does not become operative prior to 30 days after the date of the filing. However, pursuant to Rule 19b–4(f)(6)(iii),[21] the Commission may designate a shorter time if such action is consistent with the protection of investors and the public interest. The Exchange has asked the Commission to waive the 30-day operative delay so that the proposal may

[11] 15 U.S.C. 78f(b).

[12] 15 U.S.C. 78f(b)(5).

[13] *See supra* note 3.

[14] *See supra* note 3.

[15] *Id.*

[16] 15 U.S.C. 78s(b)(3)(A).

[17] 17 CFR 240.19b–4(f)(6).

[18] 15 U.S.C. 78s(b)(3)(A).

[19] 17 CFR 240.19b–4(f)(6). In addition, Rule 19b–4(f)(6) 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.

[20] 17 CFR 240.19b–4(f)(6).

[21] 17 CFR 240.19b–4(f)(6)(iii).

become operative immediately upon filing and the Exchange can offer its One-Minute Interval Intra-Day Open-Close Report, which the Exchange created in response to customer feedback, sooner. The Exchange states that the proposal will offer an additional, improved product that is similar to one already offered by the Exchange and that is offered by other exchanges.[22] For these reasons, and because this proposal does not raise any novel regulatory issues, the Commission finds that waiver of the 30-day operative delay is consistent with the protection of investors and the public interest. Therefore, the Commission hereby waives the 30-day operative delay and designates the proposal operative upon filing.[23]

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission will institute proceedings under Section 19(b)(2)(B)[24] of the Act to determine whether the proposed rule change should be approved or disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (*https://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov.* Please include file number SR–MIAX–2025–39 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–MIAX–2025–39. 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–MIAX–2025–39 and should be submitted on or before October 2, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[25]

Sherry R. Haywood,

Assistant Secretary.

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BILLING CODE 8011–01–P

[22] *See supra* note 3.

[23] 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).

[24] 15 U.S.C. 78s(b)(2)(B).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–103906; File No. SR–EMERALD–2025–18]

Self-Regulatory Organizations; MIAX Emerald, LLC; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Introduce a New Version of the Open-Close Report To Be Known as the One-Minute Interval Intra-Day Open-Close Report

September 8, 2025.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act''),[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on August 27, 2025, MIAX Emerald, LLC (''MIAX Emerald'' or ''Exchange'') filed with the Securities and Exchange Commission (''Commission'') the proposed rule change as described in Items I and II below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to introduce a new version of the Open-Close Report to be known as the One-Minute Interval Intra-Day Open-Close Report. This proposal is based on recent proposals from other options exchanges that offer substantively similar data products.[3]

The text of the proposed rule change is available on the Exchange's website at *https://www.miaxglobal.com/markets/us-options/all-options-exchanges/rule-filings* and at the Exchange's principal office.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange proposes to introduce a new version of the Open-Close Report to be known as the One-Minute Interval Intra-Day Open-Close Report, which will be available for purchase by Exchange Members[4] and non-Members.[5]

By way of background, the Exchange currently offers End-of-Day (''EOD'') and Intra-Day Open-Close Report data products. The EOD Open-Close Report is an end-of-day volume summary of trading activity on the Exchange at the option level by origin (Priority Customer,[6] Non-Priority Customer, Firm, Broker-Dealer, and Market Maker[7]), side of the market (buy or sell), contract volume, and transaction type (opening or closing). The Priority Customer, Non-Priority Customer, Firm, Broker-Dealer, and Market Maker volume is further broken down into trade size buckets (less than 100 contracts, 100–199 contracts, greater than 199 contracts). The EOD Open-Close Report provides proprietary

[25] 17 CFR 200.30–3(a)(12) and (59).

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b-4.

[3] *See* Securities Exchange Act Release No. 103322 (June 25, 2025), 90 FR 27887 (June 30, 2025) (SR–CboeBZX–2025–079); 103323 (June 25, 2025), 90 FR 27884 (June 30, 2025) (SR–CBOE–2025–042); *and* 103321 (June 25, 2025), 90 FR 27894 (June 30, 2025) (SR–CboeEDGX–2025–047).

[4] *See* Exchange Rule 100.

[5] The Exchange intends to submit a separate rule filing to establish fees for the One-Minute Interval Intra-Day Open-Close Report.

[6] *See* Exchange Rule 100.

[7] *Id.*

Exchange trade data and does not include trade data from any other exchange. It is also a historical data product and not a real-time data feed.

The Exchange also offers the Intra-Day Open-Close Report, which provides similar information to that of EOD Open-Close Report, but is produced and updated every 10 minutes during the trading day. Data is captured in ''snapshots'' taken every 10 minutes throughout the trading day and is available to subscribers within five minutes of the conclusion of each 10-minute period.[8] The Intraday Open-Close Report provides a volume summary of trading activity on the Exchange at the option level by origin (Priority Customer, Non-Priority Customer, Firm, Broker-Dealer, and Market Maker), side of the market (buy or sell), and transaction type (opening or closing). All volume is further broken down into trade size buckets (less than 100 contracts, 100–199 contracts, greater than 199 contracts). The Intra-Day Open-Close Report provides proprietary Exchange trade data and does not include trade data from any other exchange. All Open-Close Report data products are completely voluntary products, in that the Exchange is not required by any rule or regulation to make this data available and that potential customers may purchase it on an ad-hoc basis only if they voluntarily choose to do so.

The Exchange now proposes to offer an Intra-Day Open-Close Report that provides the same data as the existing Intra-Day Open-Close Report, except that it will be produced and updated every one minute during the trading day (the ''One-Minute Interval Intra-Day Open-Close Report''). The One-Minute Interval Intra-Day Open-Close Report will be captured in ''snapshots'' taken every one minute throughout the trading day and would be available to subscribers within five minutes of the conclusion of each one-minute period.[9] Similar to the existing Intra-Day Open-Close Report, the One-Minute Interval Intra-Day Open-Close Report provides a volume summary of trading activity on the Exchange at the option level by origin (Priority Customer, Non-Priority Customer, Firm, Broker-Dealer, and Market Maker), side of the market (buy or sell), and transaction type (opening or closing). The Priority Customer, Non-Priority Customer, Firm, Broker-Dealer, and Market Maker volume are further broken down into trade size buckets (less than 100 contracts, 100–199 contracts, greater than 199 contracts). The One-Minute Interval Intra-Day Open-Close Report provides proprietary Exchange trade data and does not include trade data from any other exchange.

The Exchange anticipates a wide variety of market participants would utilize and purchase the One-Minute Interval Intra-Day Open-Close Report, including, but not limited to, individual customers, buy-side investors, and investment banks. The Exchange believes the proposed One-Minute Interval Intra-Day Open-Close Report may also provide helpful trading information regarding investor sentiment that may allow market participants to make better trading decisions throughout the day and may be used to create and test trading models and analytical strategies and provides comprehensive insight into trading on the Exchange. For example, more frequent intra-day open data may allow a market participant to identify new interest or possible risk throughout the trading day, while intra-day closing data may allow a market participant to identify fading interests in a security. The proposed product is a completely voluntary product, in that the Exchange is not required by any rule or regulation to make this data available and that potential subscribers may purchase it only if they voluntarily choose to do so. The Exchange notes that other exchanges recently filed proposals with the Commission to offer substantively similar data products as proposed herein with regard to proprietary data of those exchanges.[10]

The Exchange further notes that the data fields themselves that are provided in the existing Intra-Day Open-Close Report are the same as the proposed One-Minute Interval Intra-Day Open-Close Report. The only distinction is that there will be more data reporting intervals provided within the One-Minute Interval Intra-Day Open-Close Report as the data is delivered based on one-minute intervals as opposed to ten-minute intervals.

Implementation

The Exchange will announce via an Exchange Alert the implementation date of the proposed rule change following the operative date of this rule filing.

2. Statutory Basis

The Exchange believes the proposed rule change is consistent with the Exchange Act and the rules and regulations thereunder applicable to the Exchange and, in particular, the requirements of Section 6(b) of the Act.[11] Specifically, the Exchange believes the proposed rule change is consistent with the Section 6(b)(5)[12] 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 adopting Regulation NMS, the Commission granted self-regulatory organizations (''SROs'') and broker-dealers increased authority and flexibility to offer new and unique market data to the public. It was believed that this authority would expand the amount of data available to consumers, and also spur innovation and competition for the provision of market data. The Exchange believes that the proposed One-Minute Interval Intra-Day Open-Close Report would further broaden the availability of U.S. option market data to investors consistent with the principles of Regulation NMS. The proposal also promotes increased transparency through the dissemination of Intra-Day Open-Close Report at one-minute intervals. The proposed rule change would benefit investors by providing access to the One-Minute Interval Intra-Day Open-Close Report, which as noted above, may promote better informed trading. Particularly, information regarding opening and closing activity across different option series may indicate investor sentiment, which can be helpful trading information. Subscribers to the

[8] For example, subscribers to the intra-day product would receive the first calculation of intra-day data no later than 9:45 a.m. ET, which represents data captured from 9:30 a.m. to 9:40 a.m. Subscribers will receive the next update by 9:55 a.m., representing the data previously provided aggregated with data captured up to 9:50 a.m., and so forth. Each update represents the aggregate data captured from the current ''snapshot'' and all previous ''snapshots.''

[9] For example, subscribers to the one-minute intra-day product would receive the first calculation of intra-day data by approximately 9:34 a.m. ET, which represents data captured from 9:30 a.m. to 9:31 a.m. Subscribers will receive the next update at 9:35 a.m., representing the data previously provided together with data captured from 9:31 a.m. through 9:32 a.m., and so forth. Each update will represent the aggregate data captured from the current ''snapshot'' and all previous ''snapshots.'' There may be variability in the time delivered during the day based on market activity; the Exchange expects to deliver this in intervals ranging from 2–5 minutes after the one-minute interval.

[10] *See supra* note 3.

[11] 15 U.S.C. 78f(b).

[12] 15 U.S.C. 78f(b)(5).

proposed data product may be able to enhance their ability to analyze option trade and volume data on an intraday basis, and create and test trading models and analytical strategies. The Exchange believes the One-Minute Interval Intra-Day Open-Close Report provides a valuable tool that subscribers can use to gain comprehensive insight into the trading activity in a particular series, but also emphasizes such data is not necessary for trading. The Exchange believes that market participants may find it beneficial to receive additional data based on these shorter intervals as opposed to the existing 10-minute intervals provided in the current Intra-Day Open-Close Report. While use cases are the same as the existing 10-minute intervals currently provided, the increased frequency provides more current information and, more data reporting intervals throughout the day to gain knowledge of the trading activity by origin. Of further note, the Exchange has created this proposed new report in response to customer feedback. Moreover, as mentioned above, other exchanges recently filed proposals to establish substantively similar data products.[13]

Further, as mentioned above, the Exchange currently provides an Intra-Day Open-Close Report that contains the same values, the only distinction is that the proposed product will be provided on a more frequent basis, allowing for subscribing market participants to have more data reporting intervals. The Exchange believes this proposed product is the innovation and competition that Regulation NMS sought to create.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will result in any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. Rather, the Exchange believes that the proposal will promote competition by permitting the Exchange to offer a data product that is substantively similar to those offered by other options exchanges.[14]

The Exchange proposes to introduce the One-Minute Interval Intra-Day Open-Close Report in order to keep pace with changes in the industry and evolving customer needs, and believes this proposed rule change would contribute to robust competition among national securities exchanges, by meeting the needs of such customers. The Exchange has received feedback from customers that additional data intervals would be helpful to review. While use cases are the same as the existing 10-minute intervals currently provided, the increased frequency provides more current information and more data reporting intervals throughout the day to gain knowledge of the trading activity by origin.

Moreover, the proposal would enable the Exchange to offer similar products as other exchanges who recently filed proposals to establish substantively similar data products.[15] As a result, the Exchange believes this proposed rule change permits fair competition among national securities exchanges. Therefore, the Exchange does not believe the proposed rule change will result in any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. Furthermore, this product offering is entirely optional and is available to anyone who believes this data will be helpful for their purposes. As such, the Exchange does not believe this proposed rule change places a burden on intra-market competition.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

Written comments were neither solicited nor received.

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[16] and Rule 19b–4(f)(6)[17] 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 after the date of filing, or such shorter time as the Commission may designate, it has become effective pursuant to Section 19(b)(3)(A) of the Act[18] and Rule 19b–4(f)(6)[19] thereunder.

A proposed rule change filed under Rule 19b–4(f)(6)[20] normally does not become operative prior to 30 days after the date of the filing. However, pursuant to Rule 19b–4(f)(6)(iii),[21] the Commission may designate a shorter time if such action is consistent with the protection of investors and the public interest. The Exchange has asked the Commission to waive the 30-day operative delay so that the proposal may become operative immediately upon filing and the Exchange can offer its One-Minute Interval Intra-Day Open-Close Report, which the Exchange created in response to customer feedback, sooner. The Exchange states that the proposal will offer an additional, improved product that is similar to one already offered by the Exchange and that is offered by other exchanges.[22] For these reasons, and because this proposal does not raise any novel regulatory issues, the Commission finds that waiver of the 30-day operative delay is consistent with the protection of investors and the public interest. Therefore, the Commission hereby waives the 30-day operative delay and designates the proposal operative upon filing.[23]

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission will institute proceedings under Section 19(b)(2)(B)[24] of the Act to determine whether the proposed rule change should be approved or disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (*https://www.sec.gov/rules/sro.shtml*); or

[13] *See supra* note 3.

[14] *See supra* note 3.

[15] *Id.*

[16] 15 U.S.C. 78s(b)(3)(A).

[17] 17 CFR 240.19b-4(f)(6).

[18] 15 U.S.C. 78s(b)(3)(A).

[19] 17 CFR 240.19b-4(f)(6). In addition, Rule 19b-4(f)(6) 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.

[20] 17 CFR 240.19b–4(f)(6).

[21] 17 CFR 240.19b–4(f)(6)(iii).

[22] *See supra* note 3.

[23] 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).

[24] 15 U.S.C. 78s(b)(2)(B).

• Send an email to *rule-comments@sec.gov.* Please include file number SR–EMERALD–2025–18 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–EMERALD–2025–18. 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–EMERALD–2025–18 and should be submitted on or before October 2, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[25]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2025–17448 Filed 9–10–25; 8:45 am]

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SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–103902; File No. SR–CboeBZX–2025–120]

Self-Regulatory Organizations; Cboe BZX Exchange, Inc.; Notice of Filing of a Proposed Rule Change To List and Trade Shares of the Canary Staked SEI ETF Under BZX Rule 14.11(e)(4), Commodity-Based Trust Shares

September 8, 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 26, 2025, Cboe BZX Exchange, Inc. (the ''Exchange'' or ''BZX'') filed with the Securities and Exchange Commission (the ''Commission'') the proposed rule change as described in Items I, II, and III below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

Cboe BZX Exchange, Inc. (''BZX'' or the ''Exchange'') is filing with the Securities and Exchange Commission (''Commission'' or ''SEC'') a proposed rule change to list and trade shares of the Canary Staked SEI ETF (the ''Trust''),[3] under BZX Rule 14.11(e)(4), Commodity-Based Trust Shares.

The text of the proposed rule change is also available on the Exchange's website (*http://markets.cboe.com/us/equities/regulation/rule_filings/bzx/*) and at the Exchange's Office of the Secretary.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange proposes to list and trade the Shares under BZX Rule 14.11(e)(4),[4] which governs the listing and trading of Commodity-Based Trust Shares on the Exchange.[5] Canary Capital Group LLC is the sponsor of the Trust (the ''Sponsor''). The Shares will be registered with the Commission by means of the Trust's registration statement on Form S–1 (the ''Registration Statement'').[6] According to the Registration Statement, the Trust is neither an investment company registered under the Investment Company Act of 1940, as amended,[7] nor a commodity pool for purposes of the Commodity Exchange Act (''CEA''), and neither the Trust nor the Sponsor is subject to regulation as a commodity pool operator or a commodity trading adviser in connection with the Shares.

Since 2017, the Commission has approved or disapproved exchange filings to list and trade series of Trust Issued Receipts, including spot-based Commodity-Based Trust Shares, on the basis of whether the listing exchange has in place a comprehensive surveillance sharing agreement with a regulated market of significant size related to the underlying commodity to be held (the ''Winklevoss Test'').[8] The Commission has also consistently recognized that this not the *exclusive* means by which an ETP listing exchange can meet this statutory obligation.[9] A listing exchange could, alternatively, demonstrate that ''other means to prevent fraudulent and manipulative acts and practices will be sufficient'' to justify dispensing with a

[25] 17 CFR 200.30–3(a)(12) and (59).

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] The Trust was formed as a Delaware statutory trust on April 23, 2025. The Trust has no fixed termination date.

[4] The Commission approved BZX Rule 14.11(e)(4) in Securities Exchange Act Release No. 65225 (August 30, 2011), 76 FR 55148 (September 6, 2011) (SR–BATS–2011–018).

[5] Any of the statements or representations regarding the index composition, the description of the portfolio or reference assets, limitations on portfolio holdings or reference assets, dissemination and availability of index, reference asset, and intraday indicative values, or the applicability of Exchange listing rules specified in this filing to list a series of Other Securities (collectively, ''Continued Listing Representations'') shall constitute continued listing requirements for the Shares listed on the Exchange.

[6] *See* the Registration Statement on Form S–1, dated April 30, 2025, submitted by the Sponsor on behalf of the Trust. The descriptions of the Trust, the Shares, and the Pricing Benchmark (as defined below) contained herein are based, in part, on information in the Registration Statement. The Registration Statement is not yet effective, and the Shares will not trade on the Exchange until such time that the Registration Statement is effective.

[7] 15 U.S.C. 80a–1.

[8] *See* Securities Exchange Act Release Nos. 78262 (July 8, 2016), 81 FR 78262 (July 14, 2016) (the ''Winklevoss Proposal''). The Winklevoss Proposal was the first exchange rule filing proposing to list and trade shares of an ETP that would hold spot bitcoin (a ''Spot Bitcoin ETP''). It was subsequently disapproved by the Commission. *See* Securities Exchange Act Release No. 83723 (July 26, 2018), 83 FR 37579 (August 1, 2018) (the ''Winklevoss Order''); 99306 (January 10, 2024), 89 FR 3008 (January 17, 2024) (Self-Regulatory Organizations; NYSE Arca, Inc.; The Nasdaq Stock Market LLC; Cboe BZX Exchange, Inc.; Order Granting Accelerated Approval of Proposed Rule Changes, as Modified by Amendments Thereto, To List and Trade Bitcoin-Based Commodity-Based Trust Shares and Trust Units) (the ''Spot Bitcoin ETP Approval Order''); 100224 (May 23, 2024), 89 FR 46937 (May 30, 2024) (Self-Regulatory Organizations; NYSE Arca, Inc.; The Nasdaq Stock Market LLC; Cboe BZX Exchange, Inc.; Order Granting Accelerated Approval of Proposed Rule Changes, as Modified by Amendments Thereto, To List and Trade Shares of Ether-Based Exchange-Traded Products) (the ''Spot ETH ETP Approval Order'').

[9] *See* Winklevoss Order, 83 FR at 37580; *see* Spot Bitcoin ETP Approval Order, 89 FR at 3009; *see* Spot ETH ETP Approval Order 89 FR at 46938.

surveillance-sharing agreement with a regulated market of significant size.[10]

The Commission recently issued orders granting approval for proposals to list bitcoin- and ether-based commodity trust shares and bitcoin-based, ether-based, and a combination of bitcoin- and ether-based trust issued receipts (these proposed funds are nearly identical to the Trust, but proposed to hold bitcoin and/or ether, respectively, instead of SEI) (''Spot Bitcoin ETPs'' and ''Spot ETH ETPs''). In both the Spot Bitcoin ETP Approval Order and Spot ETH ETP Approval Order, the Commission found that sufficient ''other means'' of preventing fraud and manipulation had been demonstrated that justified dispensing with a surveillance-sharing agreement of significant size. Specifically, the Commission found that while the Chicago Mercantile Exchange (''CME'') futures market for both bitcoin and ether were not of ''significant size'' related to the spot market, the Exchange demonstrated that other means could be reasonably expected to assist in surveilling for fraudulent and manipulative acts and practices in the specific context of the proposals.

As further discussed below, both the Exchange and the Sponsor believe that this proposal and the included analysis are sufficient to establish that the proposal is consistent with the Act itself and, additionally, that there are sufficient ''other means'' of preventing fraud and manipulation that warrant dispensing of the surveillance-sharing agreement with a regulated market of significant size, as was done with both Spot Bitcoin ETPs and Spot ETH ETPs, and that this proposal should be approved.

Background

SEI is the native cryptographic token of the SEI Network, which is a decentralized application-specific Layer 1 blockchain designed to serve as foundational infrastructure for high-performance trading and exchange-focused decentralized applications. The SEI Network distinguishes itself through its specialized architecture designed to deliver low-latency, high-throughput execution while supporting use cases across decentralized finance (''DeFi''), gaming and non-fungible tokens (''NFTs''). Unlike general-purpose smart contract platforms, the SEI Network integrates a native order-matching engine, a batch-based auction mechanism and protocol-level transaction parallelization tailored for trading applications.

The SEI Network operates under a proof-of-stake consensus model built on Tendermint Core, a Byzantine Fault Tolerant engine that finalizes blocks deterministically and separates consensus from application logic. The SEI Network enhances this consensus model through ''Twin-Turbo'' architecture, which combines intelligent block propagation with speculative, pre-commit transaction execution. Validators propose and confirm transactions, and holders of SEI may delegate their stake to validators in exchange for staking rewards and governance rights. The Twin-Turbo system improves block finality and reduces latency, making the SEI Network especially suitable for real-time execution and high-frequency strategies.

Unlike many other blockchain networks that rely on externally deployed smart contracts for trading logic, the SEI Network integrates core exchange functionality directly at the protocol level. At the center of the SEI Network's trading design is its native order-matching engine, which enables applications to create and operate on-chain central limit order books. The SEI Network implements a frequent batch auction mechanism to minimize front-running and ensure equitable execution, aggregating orders submitted within a block and clearing them at a uniform price determined by market conditions.

The SEI Network operates on a delegated proof-of-stake model, where validators stake SEI to secure the network, validate transactions, and participate in governance. Validators play a critical role in maintaining network integrity by operating nodes that commit new blocks to the SEI Blockchain. SEI token holders can delegate their tokens to validators without operating nodes themselves, earning a share of validator rewards distributed proportionally to their stake. The network employs on-chain governance where SEI holders participate by submitting and voting on protocol proposals, with voting power proportional to the amount of SEI staked to a validator.

Unlike proof-of-work assets such as bitcoin, SEI was not mined but was pre-allocated prior to the launch of the SEI Network. At genesis, a fixed maximum supply of 10 billion SEI was established to support long-term ecosystem growth, validator incentives and community participation. The initial token distribution included: (i) 48% to ecosystem reserves, supporting payment of staking rewards, ecosystem initiatives and incentives; (ii) 20% to SEI Labs and core contributors for protocol development; (iii) 20% to early backers and private investors; (iv) 9% to foundation and community reserves; and (v) 3% to a public launch allocation. The SEI Network does not implement an inflationary block reward model by default, with any future token issuance subject to governance by SEI holders.

The SEI token serves multiple functions within the SEI Network, including securing the network through proof-of-stake validator delegation, facilitating on-chain governance by enabling token holder voting, and serving as the payment mechanism for transaction fees related to order execution, smart contract interactions and general network activity. All transactions on the SEI Network require SEI to cover gas fees associated with transaction execution, smart contract interactions and validator compensation. Additionally, SEI facilitates value transfer and in-protocol utility across decentralized exchanges, DeFi applications and NFT platforms built on the SEI Network.

The SEI Network supports advanced trading applications through its integrated financial primitives, including the native order-matching engine that enables shared liquidity across applications and the frequent batch auction mechanism that promotes fair execution. The network can handle complex trading operations including spot trading, derivatives, and cross-chain transactions through its

[10] The Exchange notes that that the Winklevoss Test was first applied in 2017 in the Winklevoss Order, which was the first disapproval order related to an exchange proposal to list and trade a Spot Bitcoin ETP. All prior approval orders issued by the Commission approving the listing and trading of series of Trust Issued Receipts included no specific analysis related to a ''regulated market of significant size.'' The Winklevoss Order and the Commission's prior orders approving the listing and trading of series of Trust Issued Receipts have noted that the spot commodities and currency markets for which it has previously approved spot ETPs are generally unregulated and that the Commission relied on the underlying futures market as the regulated market of significant size that formed the basis for approving the series of Currency and Commodity-Based Trust Shares, including gold, silver, platinum, palladium, copper, and other commodities and currencies. The Commission specifically noted in the Winklevoss Order that the approval order issued related to the first spot gold ETP ''was based on an assumption that the currency market and the spot gold market were largely unregulated.'' *See* Winklevoss Order at 37592. As such, the regulated market of significant size test does not require that the spot market be regulated in order for the Commission to approve this proposal, and precedent makes clear that an underlying market for a spot commodity or currency being a regulated market would actually be an exception to the norm. These largely unregulated currency and commodity markets do not provide the same protections as the markets that are subject to the Commission's oversight, but the Commission has consistently looked to surveillance sharing agreements with the underlying futures market in order to determine whether such products were consistent with the Act.

interoperability with other Cosmos SDK-based blockchains via the Inter-Blockchain Communication (''IBC'') protocol. SEI can be transferred in direct peer-to-peer transactions through the direct sending of SEI over the SEI Network from one SEI address to another.

As noted above, this proposal is to list and trade shares of the Trust that would hold spot SEI and, as described below, cause the Trust to stake a portion of its SEI.

Section 6(b)(5) and the Applicable Standards

The Commission has approved numerous series of Trust Issued Receipts,[11] including Commodity-Based Trust Shares,[12] to be listed on U.S. national securities exchanges. In order for any proposed rule change from an exchange to be approved, the Commission must determine that, among other things, the proposal is consistent with the requirements of Section 6(b)(5) of the Act, specifically including: (i) the requirement that a national securities exchange's rules are designed to prevent fraudulent and manipulative acts and practices; [13] and (ii) the requirement that an exchange proposal be designed, in general, to protect investors and the public interest. The Exchange believes that this proposal is consistent with the requirements of Section 6(b)(5) of the Act and that this filing sufficiently demonstrates that potential policy concerns under the Act are sufficiently mitigated to the point that they are outweighed by quantifiable investor protection issues that would be resolved by approving this proposal.

More recently, the Commission has applied the Winklevoss Test while also recognizing that the ''regulated market of significant size'' standard is not the only means for satisfying Section 6(b)(5) of the Act by specifically providing that a listing exchange could demonstrate that ''other means to prevent fraudulent and manipulative acts and practices'' are sufficient to justify dispensing with the requisite surveillance-sharing agreement.[14] While there is currently no futures market for SEI, in the Spot Bitcoin ETP Approval Order and Spot ETH ETP Approval Order the Commission determined that the CME bitcoin futures market and CME ETH futures market, respectively, were not of ''significant size'' related to the spot market. Instead, the Commission found that sufficient ''other means'' of preventing fraud and manipulation had been demonstrated that justified dispensing with a surveillance-sharing agreement of significant size. The Exchange and Sponsor believe that this proposal provides for other means of preventing fraud and manipulation that justify dispensing with a surveillance-sharing agreement of significant size.

Over the past several years, U.S. investor exposure to SEI has grown into billions of dollars reaching a fully diluted market cap of approximately $3.13 billion as of April 2025. The Exchange believes that approving this proposal (and comparable proposals) provides the Commission with the opportunity to allow U.S. investors with access to SEI in a regulated and transparent exchange-traded vehicle that would act to limit risk to U.S. investors.

The policy concerns that the Exchange Act is designed to address are also otherwise mitigated by the fact that the size of the market for the underlying reference asset ($3.13 billion fully diluted value) and the nature of the SEI ecosystem reduces its susceptibility to manipulation. The geographically diverse and continuous nature of SEI trading makes it difficult and prohibitively costly to manipulate the price of SEI and, in many instances, the SEI market can be less susceptible to manipulation than the equity, fixed income, and commodity futures markets. There are a number of reasons this is the case, including that (i) there is not inside information about revenue, earnings, corporate activities, or sources of supply; (ii) manipulation of the price on any single venue would require manipulation of the global SEI price in order to be effective; (iii) a substantial over-the-counter market provides liquidity and shock-absorbing capacity; (iv) SEI's 24/7/365 nature provides constant arbitrage opportunities across all trading venues; and (v) it is unlikely that any one actor could obtain a dominant market share.

Further, SEI is arguably less susceptible to manipulation than other commodities that underlie ETPs; there may be inside information relating to the supply of the physical commodity such as the discovery of new sources of supply or significant disruptions at mining facilities that supply the commodity that simply are inapplicable as it relates to certain cryptoassets, including SEI. Further, the Exchange believes that the fragmentation across SEI trading platforms and increased adoption of SEI, as displayed through increased user engagement and trading volumes, and the SEI Network makes manipulation of SEI prices through continuous trading activity more difficult. Moreover, the linkage between the SEI markets and the presence of arbitrageurs in those markets means that the manipulation of the price of SEI price on any single venue would require manipulation of the global SEI price in order to be effective. Arbitrageurs must have funds distributed across multiple SEI trading platforms in order to take advantage of temporary price dislocations, thereby making it unlikely that there will be a strong concentration of funds on any particular SEI trading platform. As a result, the potential for manipulation on a particular SEI trading platform would require overcoming the liquidity supply of such arbitrageurs who are effectively eliminating any cross-market pricing differences. For all of these reasons, SEI is not particularly susceptible to manipulation, especially as compared to other approved ETP reference assets.

Canary Staked SEI ETF

CSC Delaware Trust Company is the trustee (''Trustee''). A third party will be the administrator (''Administrator'') and

[11] *See* Exchange Rule 14.11(f).

[12] Commodity-Based Trust Shares, as described in Exchange Rule 14.11(e)(4), are a type of Trust Issued Receipt.

[13] Much like bitcoin and ETH, the Exchange believes that SEI is resistant to price manipulation and that ''other means to prevent fraudulent and manipulative acts and practices'' exist to justify dispensing with the requisite surveillance sharing agreement. The geographically diverse and continuous nature of SEI trading render it difficult and prohibitively costly to manipulate the price of SEI. The fragmentation across platforms and the capital necessary to maintain a significant presence on each trading platform make manipulation of SEI prices through continuous trading activity challenging. To the extent that there are trading platforms engaged in or allowing wash trading or other activity intended to manipulate the price of SEI on other markets, such pricing does not normally impact prices on other trading platforms because participants will generally ignore markets with quotes that they deem non-executable. Moreover, the linkage between SEI markets and the presence of arbitrageurs in those markets means that the manipulation of the price of SEI on any single venue would require manipulation of the global SEI price in order to be effective. Arbitrageurs must have funds distributed across multiple trading platforms in order to take advantage of temporary price dislocations, thereby making it unlikely that there will be strong concentration of funds on any particular trading platforms or OTC platform. Further, the speed and relatively inexpensive nature of transactions on the SEI Network allow arbitrageurs to quickly move capital between trading platforms where price dislocations may occur. As a result, the potential for manipulation on a trading platform would require overcoming the liquidity supply of such arbitrageurs who are effectively eliminating any cross-market pricing differences.

[14] *See* Winklevoss Order at 37580. The Commission has also specifically noted that it ''is not applying a 'cannot be manipulated' standard; instead, the Commission is examining whether the proposal meets the requirements of the Exchange Act and, pursuant to its Rules of Practice, places the burden on the listing exchange to demonstrate the validity of its contentions and to establish that the requirements of the Exchange Act have been met.'' *Id.* at 37582.

transfer agent (''Transfer Agent'') and will be responsible for the custody of the Trust's cash and cash equivalents [15] (the ''Cash Custodian''). A third-party custodian (the ''Custodian'') will be responsible for custody of the Trust's SEI.

According to the Registration Statement, each Share will represent a fractional undivided beneficial interest in and ownership of the Trust. The Trust's assets will only consist of SEI, cash, or cash and cash equivalents.

According to the Registration Statement, the Trust will be neither an investment company registered under the Investment Company Act of 1940, as amended,[16] nor a commodity pool for purposes of the CEA, and neither the Trust nor the Sponsor is subject to regulation as a commodity pool operator or a commodity trading adviser in connection with the Shares.

The Sponsor may stake, or cause to be staked, all or a portion of the Trust's SEI through one or more trusted staking providers (''Staking Providers''). In consideration for any staking activity in which the Trust may engage, the Trust would receive all or a portion of the staking rewards generated through staking activities, which may be treated as income to the Trust. The Trust will not acquire and will disclaim any incidental right (''IR''), or IR asset received, for example as a result of forks or airdrops, and such assets will not be taken into account for purposes of determining NAV.

When the Trust creates or redeems its Shares, it will do so in cash transactions or in-kind transactions, in blocks of 10,000 Shares (a ''Creation Basket'') at the Trust's net asset value (''NAV''). For cash creations and redemptions authorized participants will deliver, or facilitate the delivery of, cash to the Trust's account with the Cash Custodian, in exchange for Shares when they create Shares, and the Trust, through the Cash Custodian, will deliver cash to such authorized participants when they redeem Shares with the Trust. For in-kind creation and redemptions authorized participants will deliver, or facilitate delivery of, SEI to the Trust's account with the Custodian, in exchange for Shares when they create Shares, and the Trust, through the Custodian, will deliver SEI to such authorized participants when they redeem Shares with the Trust. An affiliate of the Sponsor may serve as an authorized participant of the Trust. Authorized participants may then offer Shares to the public at prices that depend on various factors, including the supply and demand for Shares, the value of the Trust's assets, and market conditions at the time of a transaction.

Investment Objective

According to the Registration Statement and as further described below, the Trust's investment objective is to seek to track the performance of SEI, as measured by the CoinDesk SEI USD CCIX 60 min NY Rate (''Pricing Benchmark''), adjusted for the Trust's expenses and other liabilities. In seeking to achieve its investment objective, the Trust will hold SEI and will value its Shares daily as of 4:00 p.m. ET using the same methodology used to calculate the Pricing Benchmark. All of the Trust's SEI will be held by the Custodian.

The Pricing Benchmark

As described in the Registration Statement, The Trust will use the Pricing Benchmark to calculate the Trust's NAV. The Trust will determine the SEI Pricing Benchmark price and value its Shares daily based on the value of SEI as reflected by the Pricing Benchmark. The Pricing Benchmark will be calculated daily and aggregates the notional value of SEI trading across major SEI spot trading platforms, as determined by the provider.

Net Asset Value

NAV means the total assets of the Trust (which includes all SEI and cash and cash equivalents) less total liabilities of the Trust. The Administrator determines the NAV of the Trust on each day that the Exchange is open for regular trading, as promptly as practical after 4:00 p.m. ET based on the closing value of the Pricing Benchmark. The NAV of the Trust is the aggregate value of the Trust's assets less its estimated accrued but unpaid liabilities (which include accrued expenses). In determining the NAV, the Administrator values the SEI held by the Trust based on the closing value of the Pricing Benchmark as of 4:00 p.m. ET. The Administrator also determines the NAV per Share. The NAV for the Trust will be calculated by the Administrator once a day and will be disseminated daily to all market participants at the same time.

Availability of Information

In addition to the price transparency of the Pricing Benchmark, the Trust will provide information regarding the Trust's SEI holdings as well as additional data regarding the Trust. The website for the Trust, which will be publicly accessible at no charge, will contain the following information: (a) the current NAV per Share daily and the prior business day's NAV per Share and the reported BZX Official Closing Price; [17] (b) the BZX Official Closing Price in relation to the NAV per Share as of the time the NAV is calculated and a calculation of the premium or discount of such price against such NAV per Share; (c) data in chart form displaying the frequency distribution of discounts and premiums of the BZX Official Closing Price against the NAV per Share, within appropriate ranges for each of the four previous calendar quarters (or for the life of the Trust, if shorter); (d) the prospectus; and (e) other applicable quantitative information. The aforementioned information will be published as of the close of business and available on the Sponsor's website at *https://canary.capital,* or any successor thereto. The NAV for the Trust will be calculated by the Administrator once a day and will be disseminated daily to all market participants at the same time. Quotation and last-sale information regarding the Shares will be disseminated through the facilities of the Consolidated Tape Association (''CTA''). The Trust will also disseminate its holdings on a daily basis on its website.

The Intraday Indicative Value (''IIV'') will be updated during Regular Trading Hours to reflect changes in the value of the Trust's SEI holdings during the trading day. The IIV disseminated during Regular Trading Hours should not be viewed as an actual real-time update of the NAV, which will be calculated only once at the end of each trading day. The IIV may differ from the NAV because NAV is calculated, using the closing value of the Pricing Benchmark, once a day at 4 p.m. ET, whereas the IIV draws prices from the last trade on each constituent platform in an effort to produce a relevant, real-time price). The Trust will provide an IIV per Share updated every 15 seconds, as calculated by the Exchange or a third-party financial data provider during the Exchange's Regular Trading Hours (9:30 a.m. to 4:00 p.m. E.T.). The IIV will be widely disseminated on a per Share basis every 15 seconds during the Exchange's Regular Trading Hours through the facilities of the CTA and Consolidated Quotation System (CQS) high speed lines. In addition, the IIV will be available through on-line

[15] Cash equivalents are short-term instruments with maturities of less than 3 months.

[16] 15 U.S.C. 80a–1.

[17] As defined in Rule 11.23(a)(3), the term ''BZX Official Closing Price'' shall mean the price disseminated to the consolidated tape as the market center closing trade.

information services, such as Bloomberg and Reuters.

The price of SEI will be made available by one or more major market data vendors, updated at least every 15 seconds during Regular Trading Hours.

As noted above, the Pricing Benchmark is calculated every 15 seconds and information about the Pricing Benchmark and Pricing Benchmark value, including index data and key elements of how the Pricing Benchmark is calculated, will be publicly available at a website maintained by the provider of the Pricing Benchmark.

Quotation and last sale information for SEI is widely disseminated through a variety of major market data vendors, including Bloomberg and Reuters. Information relating to trading, including price and volume information, in SEI is available from major market data vendors and from the trading platforms on which SEI are traded. Depth of book information is also available from SEI trading platforms. The normal trading hours for SEI trading platforms are 24 hours per day, 365 days per year.

Information regarding market price and trading volume of the Shares will be continually available on a real-time basis throughout the day on brokers' computer screens and other electronic services. Information regarding the previous day's BZX Official Closing Price and trading volume information for the Shares will be published daily in the financial section of newspapers. Quotation and last-sale information regarding the Shares will be disseminated through the facilities of the CTA.

The Custodian

The Custodian's services (i) allow SEI to be deposited from a public blockchain address to the Trust's SEI account; (ii) allow SEI to be withdrawn from the SEI account to a public blockchain address as instructed by the Trust; and (iii) allow SEI to be staked. The custody agreement requires the Custodian to hold the Trust's SEI in cold storage, unless required to facilitate withdrawals as a temporary measure. The Custodian will use segregated cold storage SEI addresses for the Trust which are separate from the SEI addresses that the Custodian uses for its other customers and which are directly verifiable via the SEI blockchain. The Custodian will safeguard the private keys to the SEI associated with the Trust's SEI account. The Custodian will at all times record and identify in its books and records that such SEI constitutes the property of the Trust. The Custodian will not withdraw the Trust's SEI from the Trust's account with the Custodian, or loan, hypothecate, pledge or otherwise encumber the Trust's SEI, without the Trust's instruction. If the custody agreement terminates, the Sponsor may appoint another custodian, and the Trust may enter into a custodian agreement with such custodian.

Creation and Redemption of Shares

When the Trust creates or redeems its Shares, it will do so in cash or in-kind. When the Trust creates or redeems its Shares in cash or in-kind, it will do so in Creation Baskets that are based on the quantity of SEI attributable to each Share of the Trust (net of the accrued but unpaid Sponsor's fee and any accrued but unpaid expenses or liabilities). Creation Baskets are issued and redeemed in exchange for SEI or cash. According to the Registration Statement, on any business day, an authorized participant may place an order to create one or more Creation Baskets. Purchase orders must be placed by the close of 4:00 p.m. or the close of regular trading on the Exchange, whichever is earlier. The day on which an order is properly received is considered the purchase order date. For cash creations, authorized participants will deliver, or facilitate the delivery of, cash to the Trust's account with the Cash Custodian in exchange for Shares. Upon receipt of an approved cash creation order, the Sponsor, on behalf of the Trust, will submit to one or more previously onboarded trading partners an order to buy the amount of SEI represented by a Creation Basket. For in-kind creations, authorized participants or their designee will deliver, or facilitate the delivery of, SEI to the Trust's account with the Custodian in exchange for Shares. For a cash creation order, the total deposit of cash required is based on the combined NAV of the number of Shares included in the Creation Baskets being created determined as of 4:00 p.m. ET on the date the order to purchase is properly received. With respect to a cash purchase order, as between the Trust and the authorized participant, the authorized participant is responsible for the dollar cost of the difference between the SEI price utilized in calculating NAV on trade date and the price at which the Trust acquires the SEI to the extent the price realized in buying the SEI is higher than the SEI price utilized in the NAV. To the extent the price realized in buying the SEI is lower than the price utilized in the NAV, the Authorized Participant shall keep the dollar impact of any such difference.

For a creation order in-kind, the total in-kind transfer of SEI is based on the quantity of SEI attributable to the Creation Basket applicable to the date the order to purchase is properly received. After the close of business each day, the Administrator determines the quantity of SEI used to calculate the a Creation Basket for a given day by dividing the number of SEI held by the Trust, adjusted for the amount of SEI constituting estimated accrued but unpaid fees and expenses of the Trust as of the opening of business on that business day, by the quotient of the number of Shares outstanding at the opening of business divided by the number of Shares in a Creation Basket. The procedures by which an authorized participant can redeem one or more Creation Baskets mirror the procedures for the creation of Creation Baskets. For a cash redemption order, an authorized participant will deliver Shares to the Trust and will receive cash for the Shares delivered. With respect to a cash redemption order, between the Trust and the Authorized Participant, the Authorized Participant will be responsible for the dollar cost of the difference between the SEI price utilized in calculating the NAV on trade date and the price realized in selling the SEI to raise the cash needed for the cash redemption order to the extent the price realized in selling the SEI is lower than the SEI price utilized in the NAV. To the extent the price realized from selling the SEI is higher than the price utilized in the NAV, the Authorized Participant shall get to keep the dollar impact of any such difference. For an in-kind redemption order, an authorized participant will deliver Shares to the Trust and the authorized participant or its designee will receive SEI for the Shares delivered. The Sponsor (including its delegates) will maintain ownership and control of the Trust's SEI in a manner consistent with good delivery requirements for spot commodity transactions.

Rule 14.11(e)(4)—Commodity-Based Trust Shares

The Shares will be subject to BZX Rule 14.11(e)(4), which sets forth the initial and continued listing criteria applicable to Commodity-Based Trust Shares. The Exchange represents that, for initial and continued listing, the Trust must be in compliance with Rule 10A–3 under the Act. A minimum of 100,000 Shares will be outstanding at the commencement of listing on the Exchange. The Exchange will obtain a representation that the NAV will be calculated daily and that the NAV and information about the assets of the Trust

will be made available to all market participants at the same time. The Exchange notes that, as defined in Rule 14.11(e)(4)(C)(i), the Shares will be: (a) issued by a trust that holds (1) a specified commodity [18] deposited with the trust, or (2) a specified commodity and, in addition to such specified commodity, cash; (b) issued by such trust in a specified aggregate minimum number in return for a deposit of a quantity of the underlying commodity and/or cash; and (c) when aggregated in the same specified minimum number, may be redeemed at a holder's request by such trust which will deliver to the redeeming holder the quantity of the underlying commodity and/or cash.

Upon termination of the Trust, the Shares will be removed from listing. The Trustee, CSC Delaware Trust Company, is a trust company having substantial capital and surplus and the experience and facilities for handling corporate trust business, as required under Rule 14.11(e)(4)(E)(iv)(a) and that no change will be made to the trustee without prior notice to and approval of the Exchange. The Exchange also notes that, pursuant to Rule 14.11(e)(4)(F), neither the Exchange nor any agent of the Exchange shall have any liability for damages, claims, losses or expenses caused by any errors, omissions or delays in calculating or disseminating any underlying commodity value, the current value of the underlying commodity required to be deposited to the Trust in connection with issuance of Commodity-Based Trust Shares; resulting from any negligent act or omission by the Exchange, or any agent of the Exchange, or any act, condition or cause beyond the reasonable control of the Exchange, its agent, including, but not limited to, an act of God; fire; flood; extraordinary weather conditions; war; insurrection; riot; strike; accident; action of government; communications or power failure; equipment or software malfunction; or any error, omission or delay in the reports of transactions in an underlying commodity. Finally, as required in Rule 14.11(e)(4)(G), the Exchange notes that any registered market maker (''Market Maker'') in the Shares must file with the Exchange in a manner prescribed by the Exchange and keep current a list identifying all accounts for trading in an underlying commodity, related commodity futures or options on commodity futures, or any other related commodity derivatives, which the registered Market Maker may have or over which it may exercise investment discretion. No registered Market Maker shall trade in an underlying commodity, related commodity futures or options on commodity futures, or any other related commodity derivatives, in an account in which a registered Market Maker, directly or indirectly, controls trading activities, or has a direct interest in the profits or losses thereof, which has not been reported to the Exchange as required by this Rule. In addition to the existing obligations under Exchange rules regarding the production of books and records (see, *e.g.,* Rule 4.2), the registered Market Maker in Commodity-Based Trust Shares shall make available to the Exchange such books, records or other information pertaining to transactions by such entity or registered or non-registered employee affiliated with such entity for its or their own accounts for trading the underlying physical commodity, related commodity futures or options on commodity futures, or any other related commodity derivatives, as may be requested by the Exchange.

The Exchange is able to obtain information regarding trading in the Shares and the underlying SEI or any other SEI derivative through members acting as registered Market Makers, in connection with their proprietary or customer trades.

As a general matter, the Exchange has regulatory jurisdiction over its Members and their associated persons, which include any person or entity controlling a Member. To the extent the Exchange may be found to lack jurisdiction over a subsidiary or affiliate of a Member that does business only in commodities or futures contracts, the Exchange could obtain information regarding the activities of such subsidiary or affiliate through surveillance sharing agreements with regulatory organizations of which such subsidiary or affiliate is a member.

Trading Halts

With respect to trading halts, the Exchange may consider all relevant factors in exercising its discretion to halt or suspend trading in the Shares. The Exchange will halt trading in the Shares under the conditions specified in BZX Rule 11.18. Trading may be halted because of market conditions or for reasons that, in the view of the Exchange, make trading in the Shares inadvisable. These may include: (1) the extent to which trading is not occurring in the SEI underlying the Shares; or (2) whether other unusual conditions or circumstances detrimental to the maintenance of a fair and orderly market are present. Trading in the Shares also will be subject to Rule 14.11(e)(4)(E)(ii), which sets forth circumstances under which trading in the Shares may be halted.

If the IIV or the value of the Pricing Benchmark is not being disseminated as required, the Exchange may halt trading during the day in which the interruption to the dissemination of the IIV or the value of the Pricing Benchmark occurs. If the interruption to the dissemination of the IIV or the value of the Pricing Benchmark persists past the trading day in which it occurred, the Exchange will halt trading no later than the beginning of the trading day following the interruption.

In addition, if the Exchange becomes aware that the NAV with respect to the Shares is not disseminated to all market participants at the same time, it will halt trading in the Shares until such time as the NAV is available to all market participants.

Trading Rules

The Exchange deems the Shares to be equity securities, thus rendering trading in the Shares subject to the Exchange's existing rules governing the trading of equity securities. BZX will allow trading in the Shares during all trading sessions on the Exchange. The Exchange has appropriate rules to facilitate transactions in the Shares during all trading sessions. As provided in BZX Rule 11.11(a) the minimum price variation for quoting and entry of orders in securities traded on the Exchange is $0.01 where the price is greater than $1.00 per share or $0.0001 where the price is less than $1.00 per share. The Shares of the Trust will conform to the initial and continued listing criteria set forth in BZX Rule 14.11(e)(4).

Surveillance

The Exchange represents that its surveillance procedures are adequate to properly monitor the trading of the Shares on the Exchange during all trading sessions and to deter and detect violations of Exchange rules and the applicable federal securities laws. Trading of the Shares through the Exchange will be subject to the Exchange's surveillance procedures for derivative products, including Commodity-Based Trust Shares. FINRA conducts certain cross-market surveillances on behalf of the Exchange pursuant to a regulatory services agreement. The Exchange is responsible for FINRA's performance under this regulatory services agreement.

The Exchange or FINRA, on behalf of the Exchange, or both, will communicate as needed regarding trading in the Shares or any other SEI derivative with other markets and other

[18] For purposes of Rule 14.11(e)(4), the term commodity takes on the definition of the term as provided in the Commodity Exchange Act.

entities that are members of the ISG, and the Exchange, or FINRA, on behalf of the Exchange, or both, may obtain trading information regarding trading in the Shares or any other SEI derivative from such markets and other entities.[19] The Exchange may obtain information regarding trading in the Shares or any other SEI derivative via ISG, from other exchanges who are members or affiliates of the ISG, or with which the Exchange has entered into a comprehensive surveillance sharing agreement.

In addition, the Exchange also has a general policy prohibiting the distribution of material, non-public information by its employees.

The Sponsor has represented to the Exchange that it will advise the Exchange of any failure by the Trust or the Shares to comply with the continued listing requirements, and, pursuant to its obligations under Section 19(g)(1) of the Exchange Act, the Exchange will surveil for compliance with the continued listing requirements. If the Trust or the Shares are not in compliance with the applicable listing requirements, the Exchange will commence delisting procedures under Exchange Rule 14.12.

Information Circular

Prior to the commencement of trading, the Exchange will inform its members in an Information Circular of the special characteristics and risks associated with trading the Shares. Specifically, the Information Circular will discuss the following: (i) the procedures for the creation and redemption of Creation Baskets (and that the Shares are not individually redeemable); (ii) BZX Rule 3.7, which imposes suitability obligations on Exchange members with respect to recommending transactions in the Shares to customers; (iii) how information regarding the IIV and the Trust's NAV are disseminated; (iv) the risks involved in trading the Shares outside of Regular Trading Hours [20] when an updated IIV will not be calculated or publicly disseminated; (v) the requirement that members deliver a prospectus to investors purchasing newly issued Shares prior to or concurrently with the confirmation of a transaction; and (vi) trading information. The Information Circular will also reference the fact that there is no regulated source of last sale information regarding SEI, and that the Commission has no jurisdiction over the trading of SEI as a commodity.

In addition, the Information Circular will advise members, prior to the commencement of trading, of the prospectus delivery requirements applicable to the Shares. Members purchasing the Shares for resale to investors will deliver a prospectus to such investors. The Information Circular will also discuss any exemptive, no-action and interpretive relief granted by the Commission from any rules under the Act.

2. Statutory Basis

The Exchange believes that the proposal is consistent with Section 6(b) of the Act [21] in general and Section 6(b)(5) of the Act [22] in particular in that 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 Commission has approved numerous series of Trust Issued Receipts,[23] including Commodity-Based Trust Shares,[24] to be listed on U.S. national securities exchanges. In order for any proposed rule change from an exchange to be approved, the Commission must determine that, among other things, the proposal is consistent with the requirements of Section 6(b)(5) of the Act, specifically including: (i) the requirement that a national securities exchange's rules are designed to prevent fraudulent and manipulative acts and practices; [25] and (ii) the requirement that an exchange proposal be designed, in general, to protect investors and the public interest. The Exchange believes that this proposal is consistent with the requirements of Section 6(b)(5) of the Act and that this filing sufficiently demonstrates that potential policy concerns under the Act are sufficiently mitigated to the point that they are outweighed by quantifiable investor protection issues that would be resolved by approving this proposal.

More recently, the Commission has applied the Winklevoss Test while also recognizing that the ''regulated market of significant size'' standard is not the only means for satisfying Section 6(b)(5) of the Act. In the specifically providing that a listing exchange could demonstrate that ''other means to prevent fraudulent and manipulative acts and practices'' are sufficient to justify dispensing with the requisite surveillance-sharing agreement.[26] While there is currently no futures market for SEI, in the Spot Bitcoin ETP Approval Order and Spot ETH ETP Approval Order the Commission determined that the CME bitcoin futures market and CME ETH futures market, respectively, were not of ''significant size'' related to the spot market. Instead, the Commission found that sufficient ''other means'' of preventing fraud and manipulation had been demonstrated that justified dispensing with a surveillance-sharing agreement of significant size. The Exchange and Sponsor believe that this proposal provides for other means of preventing fraud and manipulation justify dispensing with a surveillance-sharing agreement of significant size.

[19] For a list of the current members and affiliate members of ISG, *see www.isgportal.com.*

[20] Regular Trading Hours is the time between 9:30 a.m. and 4:00 p.m. Eastern Time.

[21] 15 U.S.C. 78f.

[22] 15 U.S.C. 78f(b)(5).

[23] *See* Exchange Rule 14.11(f).

[24] Commodity-Based Trust Shares, as described in Exchange Rule 14.11(e)(4), are a type of Trust Issued Receipt.

[25] Much like bitcoin and ETH, the Exchange believes that SEI is resistant to price manipulation and that ''other means to prevent fraudulent and manipulative acts and practices'' exist to justify dispensing with the requisite surveillance sharing agreement. The geographically diverse and continuous nature of SEI trading render it difficult and prohibitively costly to manipulate the price of SEI. The fragmentation across platforms and the capital necessary to maintain a significant presence on each trading platform make manipulation of SEI prices through continuous trading activity challenging. To the extent that there are trading platforms engaged in or allowing wash trading or other activity intended to manipulate the price of SEI on other markets, such pricing does not normally impact prices on other trading platforms because participants will generally ignore markets with quotes that they deem non-executable. Moreover, the linkage between SEI markets and the presence of arbitrageurs in those markets means that the manipulation of the price of SEI on any single venue would require manipulation of the global SEI price in order to be effective. Arbitrageurs must have funds distributed across multiple trading platforms in order to take advantage of temporary price dislocations, thereby making it unlikely that there will be strong concentration of funds on any particular trading platforms or OTC platform. Further, the speed and relatively inexpensive nature of transactions on the SEI Network allow arbitrageurs to quickly move capital between trading platforms where price dislocations may occur. As a result, the potential for manipulation on a trading platform would require overcoming the liquidity supply of such arbitrageurs who are effectively eliminating any cross-market pricing differences.

[26] *See* Winklevoss Order at 37580. The Commission has also specifically noted that it ''is not applying a 'cannot be manipulated' standard; instead, the Commission is examining whether the proposal meets the requirements of the Exchange Act and, pursuant to its Rules of Practice, places the burden on the listing exchange to demonstrate the validity of its contentions and to establish that the requirements of the Exchange Act have been met.'' *Id.* at 37582.

The Exchange believes that the proposal is designed to protect investors and the public interest. Over the past several years, U.S. investor exposure to SEI has grown into billions of dollars with a fully diluted market cap of approximately $3.13 billion as of April 2025. The Exchange believes that approving this proposal (and comparable proposals) provides the Commission with the opportunity to allow U.S. investors with access to SEI in a regulated and transparent exchange-traded vehicle that would act to limit risk to U.S. investors.

The policy concerns that the Exchange Act is designed to address are also otherwise mitigated by the fact that the size of the market for the underlying reference asset ($3.13 billion fully diluted value) and the nature of the SEI ecosystem reduces its susceptibility to manipulation. The geographically diverse and continuous nature of SEI trading makes it difficult and prohibitively costly to manipulate the price of SEI and, in many instances, the SEI market can be less susceptible to manipulation than the equity, fixed income, and commodity futures markets. There are a number of reasons this is the case, including that there is not inside information about revenue, earnings, corporate activities, or sources of supply; manipulation of the price on any single venue would require manipulation of the global SEI price in order to be effective; a substantial over-the-counter market provides liquidity and shock-absorbing capacity; SEI's 24/7/365 nature provides constant arbitrage opportunities across all trading venues; and it is unlikely that any one actor could obtain a dominant market share.

Further, SEI is arguably less susceptible to manipulation than other commodities that underlie ETPs; there may be inside information relating to the supply of the physical commodity such as the discovery of new sources of supply or significant disruptions at mining facilities that supply the commodity that simply are inapplicable as it relates to certain cryptoassets, including SEI. Further, the Exchange believes that the fragmentation across SEI trading platforms and increased adoption of SEI, as displayed through increased user engagement and trading volumes, and the SEI Network make manipulation of SEI prices through continuous trading activity more difficult. Moreover, the linkage between the SEI markets and the presence of arbitrageurs in those markets means that the manipulation of the price of SEI price on any single venue would require manipulation of the global SEI price in order to be effective. Arbitrageurs must have funds distributed across multiple SEI trading platforms in order to take advantage of temporary price dislocations, thereby making it unlikely that there will be strong concentration of funds on any particular SEI trading platform. As a result, the potential for manipulation on a particular SEI trading platform would require overcoming the liquidity supply of such arbitrageurs who are effectively eliminating any cross-market pricing differences. For all of these reasons, SEI is not particularly susceptible to manipulation, especially as compared to other approved ETP reference assets.

Commodity-Based Trust Shares

The Exchange believes that the proposed rule change is designed to prevent fraudulent and manipulative acts and practices in that the Shares will be listed on the Exchange pursuant to the initial and continued listing criteria in Exchange Rule 14.11(e)(4). The Exchange believes that its surveillance procedures are adequate to properly monitor the trading of the Shares on the Exchange during all trading sessions and to deter and detect violations of Exchange rules and the applicable federal securities laws. Trading of the Shares through the Exchange will be subject to the Exchange's surveillance procedures for derivative products, including Commodity-Based Trust Shares. The issuer has represented to the Exchange that it will advise the Exchange of any failure by the Trust or the Shares to comply with the continued listing requirements, and, pursuant to its obligations under Section 19(g)(1) of the Exchange Act, the Exchange will surveil for compliance with the continued listing requirements. If the Trust or the Shares are not in compliance with the applicable listing requirements, the Exchange will commence delisting procedures under Exchange Rule 14.12. The Exchange may obtain information regarding trading in the Shares and listed SEI derivatives via the ISG, from other exchanges who are members or affiliates of the ISG, or with which the Exchange has entered into a comprehensive surveillance sharing agreement.

Availability of Information

In addition to the price transparency of the Pricing Benchmark, the Trust will provide information regarding the Trust's SEI holdings as well as additional data regarding the Trust. The website for the Trust, which will be publicly accessible at no charge, will contain the following information: (a) the current NAV per Share daily and the prior business day's NAV per Share and the reported BZX Official Closing Price;[27] (b) the BZX Official Closing Price in relation to the NAV per Share as of the time the NAV is calculated and a calculation of the premium or discount of such price against such NAV per Share; (c) data in chart form displaying the frequency distribution of discounts and premiums of the BZX Official Closing Price against the NAV per Share, within appropriate ranges for each of the four previous calendar quarters (or for the life of the Trust, if shorter); (d) the prospectus; and (e) other applicable quantitative information. The aforementioned information will be published as of the close of business and available on the Sponsor's website at *www.canary.capital,* or any successor thereto. The NAV for the Trust will be calculated by the Administrator once a day and will be disseminated daily to all market participants at the same time. Quotation and last-sale information regarding the Shares will be disseminated through the facilities of the CTA. The Trust will also disseminate its holdings on a daily basis on its website.

The Intraday Indicative Value (''IIV'') will be updated during Regular Trading Hours to reflect changes in the value of the Trust's SEI holdings during the trading day. The IIV may differ from the NAV because NAV is calculated, using the closing value of the Pricing Benchmark, once a day at 4:00 p.m. Eastern time whereas the IIV draws prices from the last trade on each constituent platform to produce a relevant, real-time price. The IIV disseminated during Regular Trading Hours should not be viewed as an actual real-time update of the NAV, which will be calculated only once at the end of each trading day. The Trust will provide an IIV per Share updated every 15 seconds, as calculated by the Exchange or a third-party financial data provider during the Exchange's Regular Trading Hours (9:30 a.m. to 4:00 p.m. E.T.). The IIV will be widely disseminated on a per Share basis every 15 seconds during the Exchange's Regular Trading Hours through the facilities of the CTA and CQS high speed lines. In addition, the IIV will be available through on-line information services such as Bloomberg and Reuters.

The price of SEI will be made available by one or more major market data vendors, updated at least every 15 seconds during Regular Trading Hours.

[27] As defined in Rule 11.23(a)(3), the term ''BZX Official Closing Price'' shall mean the price disseminated to the consolidated tape as the market center closing trade.

As noted above, the Pricing Benchmark is calculated every 15 seconds and information about the Pricing Benchmark and Pricing Benchmark value, including index data and key elements of how the Pricing Benchmark is calculated, will be publicly available at a website maintained by the provider of the Pricing Benchmark.

Quotation and last sale information for SEI is widely disseminated through a variety of major market data vendors, including Bloomberg and Reuters. Information relating to trading, including price and volume information, in SEI is available from major market data vendors and from the trading platforms on which SEI are traded. Depth of book information is also available from SEI trading platforms. The normal trading hours for SEI trading platforms are 24 hours per day, 365 days per year.

Information regarding market price and trading volume of the Shares will be continually available on a real-time basis throughout the day on brokers' computer screens and other electronic services. Information regarding the previous day's BZX Official Closing Price and trading volume information for the Shares will be published daily in the financial section of newspapers. Quotation and last-sale information regarding the Shares will be disseminated through the facilities of the CTA.

In sum, the Exchange believes that this proposal is consistent with the requirements of Section 6(b)(5) of the Act, that on the whole the manipulation concerns previously articulated by the Commission are sufficiently mitigated to the point that they are outweighed by investor protection issues that would be resolved by approving this proposal.

The Exchange believes that the proposal is, in particular, designed to protect investors and the public interest. The investor protection issues for U.S. investors has grown significantly over the last several years. As discussed throughout, this growth investor protection concerns need to be re-evaluated and rebalanced with the prevention of fraudulent and manipulative acts and practices concerns that previous disapproval orders have relied upon.

For the above reasons, the Exchange believes that the proposed rule change is consistent with the requirements of Section 6(b)(5) of the Act.

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 purpose of the Act. The Exchange notes that the proposed rule change, rather will facilitate the listing and trading of an additional exchange-traded product that will enhance competition among both market participants and listing venues, to the benefit of investors and the marketplace.

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

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 Exchange consents, the Commission will:

A. by order approve or disapprove such 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–CboeBZX–2025–120 on the subject line.

Paper Comments

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549–1090.

All submissions should refer to file number SR–CboeBZX–2025–120. 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–CboeBZX–2025–120 and should be submitted on or before October 2, 2025.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[28]

Sherry R. Haywood,

Assistant Secretary.

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BILLING CODE 8011–01–P

SMALL BUSINESS ADMINISTRATION

Data Collection Available for Public Comments

AGENCY: U.S. Small Business Administration.

ACTION: 60-Day notice and request for comments.

SUMMARY: The U.S. Small Business Administration (SBA) intends to request approval from the Office of Management and Budget (OMB) for a new collection of information described below. The Paperwork Reduction Act (PRA) requires federal agencies to publish a notice in the **Federal Register** concerning each proposed collection of information before submission to OMB and to allow 60 days for public comment in response to the notice. This notice complies with that requirement.

DATES: Submit comments on or before November 11, 2025.

ADDRESSES: Send all comments to Paul Van Eyl, Director of Financial Policy, Office of Investment and Innovation, U.S. Small Business Administration at *oii.policy@sba.gov* or 409 3rd Street SW, Washington, DC 20416.

FOR FURTHER INFORMATION CONTACT: Paul Van Eyl, Director of Financial Policy, Office of Investment and Innovation, U.S. Small Business Administration, *oii.policy@sba.gov,* 202–257–5955, or Shauniece Carter, Interim Agency Clearance Officer, U.S. Small Business Administration, *shauniece.carter@sba.gov,* 202–205–6536.

SUPPLEMENTARY INFORMATION: SBA is considering a new information collection to set forth certain information applicable for the

[28] 17 CFR 200.30–3(a)(12).

application of a participant in a program under which SBA, through its Office of Investment and Innovation, and supporting offices, provides technical assistance and support to a federal loan or guarantee program authorized by statutes and designed to provide investment capital assistance to eligible businesses (Capital Assistance Program). Under this information collection, SBA would collect the information necessary to make informed and proper decisions regarding the approval or denial of an applicant under a Capital Assistance Program.

Consistent with statutory policy and in alignment with federal risk management standards, SBA has successfully maximized the participation of private financing sources in the Small Business Investment Company (SBIC) program by licensing privately managed investment funds that raise capital from private investors and leverage those resources with capital obtained through the SBICs' issuance of debentures that are guaranteed by SBA with the full faith and credit of the United States. Through this unique public-private partnership, applicants apply to be licensed as an SBIC through the collection of information submitted from SBA Form 2181.

Building on SBA's deep expertise and experience executing the established and highly successful SBIC program, SBA would use a collection similar to Form 2181 to request qualitative and quantitative information on a proposed management team, the proposed strategy for the CAP Entity, and the principals' investment track record. Like the SBIC program, SBA would also consider certain factors in its evaluation of a CAP Entity, including adequate capital; diversification of ownership and whether management is qualified and has the knowledge, experience and capability necessary for successful operations. SBA analyzes the information provided to determine whether the potential applicant is qualified to participate in a Capital Assistance Program.

Solicitation of Public Comments

SBA invites the public to submit comments, including specific and detailed suggestions on ways to improve the collection and reduce the burden on respondents. Commenters should also address (i) whether the information collection is necessary for the proper performance of SBA's functions, including whether it has any practical utility; (ii) the accuracy of the estimated burdens; (iii) ways to enhance the quality, utility, and clarity of the information to be collected; and (iv) the use of automated collection techniques or other forms of information technology to minimize the information collection burden on those who are required to respond.

OMB Control Number: To be assigned by OMB.

Title: Capital Assistance Program Management Assessment Questionnaire and License Application.

Description of Respondents: Capital Assistance Program and CAP Entities.

Form Number: To be assigned.

Estimated Annual Respondents: 100.

Estimated Annual Responses: 100.

Estimated Annual Hour Burden: 80.

Shauniece Carter,

Interim Agency Clearance Officer.

[FR Doc. 2025–17542 Filed 9–10–25; 8:45 am]

BILLING CODE 8026–09–P

SMALL BUSINESS ADMINISTRATION

Data Collection Available for Public Comments

AGENCY: U.S. Small Business Administration.

ACTION: 60 Day notice and request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, this notice announces the Small Business Administration's (SBA) intentions to request approval for an extension or revision of an approved information collection. The Paperwork Reduction Act (PRA) requires federal agencies to publish a notice in the **Federal Register** concerning each proposed collection of information before submission to OMB and to allow 60 days for public comment in response to the notice. This notice complies with that requirement.

DATES: Submit comments on or before November 10, 2025.

ADDRESSES: Send all comments regarding whether this information collection in necessary for the proper performance of the function of the agency, whether the burden estimates are accurate, and if there are ways to minimize the estimated burden and enhance the quality of the collections to Paul Van Eyl, Director of Financial Policy, Office of Investment and Innovation, U.S. Small Business Administration at *oii.policy@sba.gov* or 409 3rd Street SW, Washington, DC 20416.

FOR FURTHER INFORMATION CONTACT: Paul Van Eyl, Director of Financial Policy, Office of Investment and Innovation, U.S. Small Business Administration, *oii.policy@sba.gov,* 202–257–5955, or Shauniece Carter, Interim Agency Clearance Officer, U.S. Small Business Administration, *shauniece.carter@sba.gov,* 202–205–6536.

SUPPLEMENTARY INFORMATION: SBA Form 2181, Management Assessment Questionnaire and License Application (MAQ), which includes the Pre-screen SBIC MAQ (Short Form), SBIC MAQ (Long Form), SBIC Subsequent Fund MAQ and Exhibits A–G, provides SBA with the necessary information to make decisions regarding the approval or denial of an applicant for a small business investment company (SBIC) license. SBA uses this information to assess an applicant's ability to successfully operate an SBIC within the scope of the Small Business Investment Act of 1958, as amended.

SBA Form 2181 provides SBA with the information necessary to make informed and proper decisions regarding the approval or denial of an applicant for an SBIC license. The SBA Form 2181 requests qualitative and quantitative information on a proposed management team, the proposed strategy for the SBIC, and the principals' investment track record. SBA analyzes the information provided to determine whether the potential applicant is qualified for an SBIC license.

Solicitation of Public Comments

SBA invites the public to submit comments, including specific and detailed suggestions on ways to improve the collection and reduce the burden on respondents. Commenters should also address (i) whether the information collection is necessary for the proper performance of SBA's functions, including whether it has any practical utility; (ii) the accuracy of the estimated burdens; (iii) ways to enhance the quality, utility, and clarity of the information to be collected; and (iv) the use of automated collection techniques or other forms of information technology to minimize the information collection burden on those who are required to respond.

OMB Control Number: 3245–0062.

Title: SBIC Management Assessment Questionnaire & License Application; Exhibits to SBIC License App./Mgmt. Assessment Questionnaire.

Description of Respondents: Small Business Investment Company (SBIC) applicants.

Form Number: 2181, 2181 Pre-Screen, 2181 Long Form, 2181 Subsequent Fund, and 2181 Exhibits A–G.

Estimated Annual Respondents: 325.

Estimated Annual Hour Burden: 21,749.

Shauniece Carter,

Interim Agency Clearance Officer.

[FR Doc. 2025–17539 Filed 9–10–25; 8:45 am]

BILLING CODE 8026–09–P

SMALL BUSINESS ADMINISTRATION

[Disaster Declaration #21276; LOUISIANA Disaster Number LA–20011 Declaration of Economic Injury]

Administrative Declaration of an Economic Injury Disaster for the State of Louisiana

AGENCY: U.S. Small Business Administration.

ACTION: Notice.

SUMMARY: This is a notice of an Economic Injury Disaster Loan (EIDL) declaration for the State of Louisiana dated September 5, 2025.

Incident: Smitty's Supply Fire.

DATES: Issued on September 5, 2025.

Incident Period: August 22, 2025 through August 25, 2025.

Economic Injury (EIDL) Loan Application Deadline Date: June 6, 2026.

ADDRESSES: *Visit the MySBA Loan Portal at https://lending.sba.gov* to apply for a disaster assistance loan.

FOR FURTHER INFORMATION CONTACT: Jennifer Talarico, 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 EIDL declaration, applications for disaster loans may be submitted online using the MySBA Loan Portal *https://lending.sba.gov* or other locally announced locations. Please contact the SBA disaster assistance customer service center by email at *disastercustomerservice@sba.gov* or by phone at 1–800–659–2955 for further assistance.

The following areas have been determined to be adversely affected by the disaster:

Primary Parish: Tangipahoa.

Contiguous Parishes/Counties:

Louisiana: Jefferson, Livingston, St. Charles, St. Helena, St. John The Baptist, St. Tammany, Washington.

Mississippi: Amite, Pike.

The Interest Rates are:

	Percent
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 economic injury is 212760.

The States which received an EIDL Declaration are Louisiana, Mississippi.

(Catalog of Federal Domestic Assistance Number 59008)

(Authority: 13 CFR 1234.3(b).)

James Stallings,

Associate Administrator, Office of Disaster Recovery & Resilience.

[FR Doc. 2025–17496 Filed 9–10–25; 8:45 am]

BILLING CODE 8026–09–P

DEPARTMENT OF STATE

[Public Notice: 12820]

Notice of Public Meeting in Preparation for International Maritime Organization A 34

The Department of State will conduct a public meeting at 9:30 a.m. on Tuesday, October 28, 2025, both in-person at Coast Guard Headquarters in Washington, DC, and via teleconference through Microsoft Teams. The primary purpose of the meeting is to prepare for the International Maritime Organization's (IMO) 34th Session of the Assembly (A 34) to be held at IMO Headquarters in London, United Kingdom from Monday, November 24, 2025 to Wednesday, December 03, 2025.

Members of the public may participate up to the capacity of the teleconference line, which can handle 500 participants or up to the seating capacity of the room if attending in-person. The meeting location will be the United States Coast Guard Headquarters, and the teleconference line will be provided to those who RSVP. To RSVP, participants should contact the meeting coordinator, LCDR Emily Sysko, by email at LCDR *Emily.T.Sysko@uscg.mil.* LCDR Sysko will provide access information for in-person and virtual attendance.

The agenda items to be considered at A 34 include:

—Adoption of the agenda;
—Rules of Procedure of the Assembly;
—Election of the President and the Vice-Presidents of the Assembly;
—Application of Article 61 of the IMO Convention—Report of the Council to the Assembly on any requests by Members for waiver;
—Establishment of the committees of the Assembly;
—Consideration of the reports of the committees of the Assembly;
—Report of the Council to the Assembly on the work of the Organization since the thirty-third regular session of the Assembly;
—Strategy, planning and reform;
—IMO Member State Audit Scheme;
—Consolidated text of the IMO Convention;
—Enhancement of Multilingualism;
—Consideration of the reports and recommendations of the Maritime Safety Committee;
—Consideration fo the reports and recommendations of the Legal Committee;
—Consideration of the reports and recommendations of the Marine Environment Protection Committee;
—Consideration of the reports and recommendations of the Technical Cooperation Committee;
—Consideration of the reports and recommendation of the Facilitation Committee;
—Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter, 1972 and the 1996 Protocol thereto: report on the performance of Secretariat functions and other duties;
—Resource management;
—IMO Number Scheme;
—Global maritime training institutions;
—External relations; report on the status of the conventions;
—Election of Member of the Council, as provided for in Articles 16 and 17 of the IMO Convention;
—Election of Member of the IMO Staff Pension Committee;
—Date and place of the thirty fifth regular session of the Assembly;
—Supplementary agenda items.

Please note: The IMO may, on short notice, adjust the A 34 agenda to accommodate the constraints associated with the virtual meeting format. Although no changes to the agenda are anticipated, if any are necessary, they will be provided to those who RSVP.

Those who plan to participate may contact the meeting coordinator, LCDR Emily Sysko, by email at *Emily.T.Sysko@uscg.mil* or by phone at 202–372–1376 or in writing at 2703 Martin Luther King Jr. Ave. SE, ATTN: LCDR Emily Sysko, 2703 Martin Luther King Jr. Ave. SE, Stop 7509, Washington, DC 20593–7509, by October 16, 2025. Members of the public needing reasonable accommodation should advise LCDR Emily Sysko no later than October 16, 2025. Requests made after that date will be considered but might not be possible to fulfill.

Additional information regarding this and other IMO public meetings may be found at: *https://www.dco.uscg.mil/IMO*.

(Authority: 22 U.S.C. 2656 and 5 U.S.C. 552.)

Emily C. Miletello,

Coast Guard Liaison Officer, Office of Ocean and Polar Affairs, Department of State.

[FR Doc. 2025–17437 Filed 9–10–25; 8:45 am]

BILLING CODE 4710–09–P

SURFACE TRANSPORTATION BOARD

[Docket No. EP 782]

Petition for Rulemaking—Amendments to Regulations Governing Ex Parte Communications

On May 16, 2025, the Association of American Railroads (AAR) filed a petition for rulemaking asking the Board to institute a proceeding to revise and streamline the rules governing ex parte communications set forth in 49 CFR part 1102. (Pet. 1.) AAR contends that revisions to the Board's regulations will improve stakeholder engagement and make it easier for the agency to process matters efficiently while maintaining transparency and fairness. (*Id.*) AAR proposes several changes to the ex parte rules aimed at removing ''unnecessarily strict regulations.'' (Pet. 2.) In response to the petition, the Board received two replies. After consideration of the petition and the replies received, the Board concludes that a proceeding should be opened to consider changes to the rules governing ex parte communications. Accordingly, the Board will grant AAR's petition to the extent that it requests that the Board open a proceeding.

Background

Summary of the Petition. AAR argues that its proposal will facilitate more effective communications between stakeholders and the Board, encourage timely and efficient decision making, and preserve transparency and fairness. (*Id.* at 2.) AAR also asserts that each of the proposals in its petition is consistent with practices at other federal agencies. (*Id.* at 6–8, 10–11, 15.) In its petition, AAR first proposes that the Board clarify that certain forms of communication are not ex parte communications by revising the regulatory language to state that: (1) the ban on ex parte communications does not prohibit communications regarding routine, procedural matters (*id.* at 6); (2) communications with Board staff concerning submitted evidence and compliance with orders seeking additional information are permissible, subject to the disclosure requirements in 49 CFR 1102.2(g)(4) [1] (*id.* at 6–7); and (3) ex parte communications are permitted in proceedings where there is only one ''party'' as defined in 49 CFR 1101.2(d) [2] (*id.* at 7–9). AAR argues that its proposals would provide clarity to both the public and the Board with regard to what types of ex parte communications are permissible. (*Id.* at 6.) AAR also asks the Board to revise the regulatory text to permit ex parte communications in transactions involving Class I railroads, subject to the disclosure requirements in 49 CFR 1102.2(g)(4).[3] (Pet. 9–10.) AAR asserts that allowing ex parte communications in these transactions has the potential to expedite proceedings, and argues that the documentation processes in section 1102.2(g)(4) are sufficient to ''preserve fairness and transparency.'' (*Id.* at 10.) Finally, AAR asks the Board to adjust the ex parte meeting rules in 49 CFR 1102.2(g)(1) by revising the regulatory text to allow: (1) ex parte communications between the public and Board staff, subject to the same requirements governing communications with Board Members; and (2) ex parte communications for a prescribed period of time after reply comments are filed.[4] (Pet. 11–15.) AAR contends that the existing processes are inefficient and inhibit potentially useful communications between parties and the agency and argues that the proposals in its petition would provide the Board with greater flexibility in future proceedings. (*Id.* at 12–14.)

Comments Received. The Board received replies to AAR's petition on June 5, 2025, from the Private Railcar Food and Beverage Association (PRFBA) and the Freight Rail Customer Alliance (FRCA). FRCA and PRFBA oppose AAR's petition, arguing that AAR's proposal is unnecessary and likely to reduce transparency in Board proceedings. (FRCA Reply 1–2; PRFBA Reply 1.) FRCA and PRFBA also argue that Board's regulations already allow status and procedural inquiries because 49 CFR 1102.2(a)(5) defines ''ex parte communications'' as ''an oral or written communication that concerns the merits or substantive outcome of a pending proceeding.'' (FRCA Reply 1; PRFBA Reply 1.)

FRCA further argues that the other proposed clarifications in AAR's proposal are unnecessary. (FRCA Reply 1.) FRCA asserts that Board's Office of Public Assistance, Governmental Affairs, and Compliance (OPAGAC) staff already accommodates parties' needs for clarifying communications regarding submitted evidence and Board orders and questions the need for ex parte communications in proceedings involving only one party because such proceedings are typically adjudications that must take into account the interest of the public. (*Id.* at 1–2.) FRCA further argues that direct access to Board staff in uncontested proceedings may reveal information that proves beneficial in contested matters, thereby creating additional fairness concerns. (*Id.* at 2.) FRCA raises similar concerns about AAR's proposal to allow ex parte communications in transactions involving Class I railroads, arguing AAR's proposal is inappropriate due to what FRCA argues is the larger impact on shippers, competitors, and the public interest. (*Id.*) Finally, FRCA contends that extending deadlines and expanding staff roles for ex parte communications in informal rulemaking proceedings would encourage more well-resourced participants to save their strongest arguments and responses for direct communications with the agency, rather than presenting them in written comments that the public can review and respond to. (*Id.* at 2.)

PRFBA also argues that AAR's proposal is inconsistent with the policy reasons underlying the existing limitations on ex parte communications. (PRFBA Reply 1.) PRFBA asserts that the Board's ex parte communication rules are intended to promote impartial decision making, ensure due process in Board proceedings, and maintain public trust in the Board's adjudicatory system. (*Id.* at 2.) PRFBA contends that because ex parte communications allow one party to discuss issues or present information without giving the opposing party an opportunity to respond, and because engaging in ex parte communications creates an appearance of impropriety, AAR's proposal is inconsistent with these policy goals. (*Id.*)

[1] Section 1102.2(g)(4) outlines the disclosure requirements for ex parte communications with Board Members that are permitted, under certain circumstances, in informal rulemaking proceedings.

[2] Section 1101.2(d) defines a ''party'' as a complainant, defendant, applicant, respondent, protestant, intervener, or petitioner in any proceeding, or other persons permitted or directed by the Board to participate in a proceeding.

[3] This proposal would reverse the Board's policy, consistent with the discretion afforded to the Board in 49 U.S.C. 11324(f), of not entertaining ex parte communications in railroad merger proceedings. *See Petition of Fieldston Co. to Establish Proc. Regarding Ex Parte Commc'ns in R.R. Merger Procs.*, 1 S.T.B. 1083, 1085–86 (1996).

[4] 49 CFR 1102.2(g)(1) permits ex parte meetings until 20 days before the deadline for reply comments set forth in the notice of proposed rulemaking, and requires the Board to delegate participation in order for Board staff to attend ex parte meetings.

Discussion and Conclusions

The Board recently conducted a series of listening sessions with practitioners, led by Vice Chairman Schultz, that generated recommendations for streamlining the Board's processes and procedures for ex parte communications.[5] AAR's proposal thus raises issues that the agency has already begun to explore and the Board concludes that it is appropriate to open a rulemaking proceeding to consider the petition and the responses. Accordingly, to the extent that it requests that the Board open a proceeding, the Board will grant AAR's petition to institute a rulemaking proceeding. However, the Board makes no determination regarding the merits of AAR's petition at this time.

In view of the feedback received during the practitioner listening sessions, the Board also anticipates inviting the public to comment on other ways the Board's rules on ex parte communications could be modified. The Board will establish procedures for public comment in a subsequent decision.

It is ordered:

1. AAR's petition to institute a rulemaking proceeding is granted, as discussed above.

2. Notice of this decision will be published in the **Federal Register**.

3. This decision is effective on its service date.

Decided: September 8, 2025.

By the Board, Board Members Fuchs, Hedlund, and Schultz.

Stefan Rice,

Clearance Clerk.

[FR Doc. 2025–17474 Filed 9–10–25; 8:45 am]

BILLING CODE 4915–01–P

SURFACE TRANSPORTATION BOARD

[Docket No. MCF 21136]

American Safety Holdings, LLC, a Louisiana Limited Liability Company—Acquisition of Property—American-International Travel, Inc. d/b/a Dixieland Tours & Cruises, a Louisiana Corporation

AGENCY: Surface Transportation Board.

ACTION: Notice tentatively approving and authorizing finance transaction.

SUMMARY: On June 17, 2025, American Safety Holdings, LLC (Holdings), a noncarrier, and its affiliate American Safety Transit, LLC (Transit), a motor passenger carrier, filed an application for control over substantially all the assets of American-International Travel, Inc. d/b/a Dixieland Tours and Cruises (Dixieland), a motor passenger carrier. By supplement filed on August 1, 2025, Bricor Energy Group, LLC (Bricor), and Ana Begovich (Begovich), both noncarriers, joined the application, which was supplemented again on August 12, 2025. (Holdings, Transit, Bricor, and Begovich will be collectively referred to as Applicants). Applicants also seek after-the-fact authority for Holdings' prior acquisition of property from New Orleans Tours, Inc. (New Orleans Tours), and its affiliates, Airport Shuttle, LLC (Airport Shuttle), and Car Noir, LLC (Car Noir). The Board is tentatively approving and authorizing these transactions. If no opposing comments are timely filed, this notice will be the final Board action.

DATES: Comments must be filed by October 27, 2025. If any comments are filed, Applicants may file a reply by November 10, 2025. If no opposing comments are filed by October 27, 2025, this notice shall be effective on October 28, 2025.

ADDRESSES: Comments, referring to Docket No. MCF 21136, may be filed with the Board either via e-filing on the Board's website or in writing addressed to: Surface Transportation Board, 395 E Street SW, Washington, DC 20423–0001. In addition, send one copy of comments to Applicants' representative: Jonathan L. Schultis, Ricci Partners, LLC, 101 W Robert E. Lee Blvd., Suite 400, New Orleans, LA 70124.

FOR FURTHER INFORMATION CONTACT: Nathaniel Bawcombe at (202) 915–3555. If you require an accommodation under the Americans with Disabilities Act, please call (202) 245–0245.

SUPPLEMENTARY INFORMATION: According to the application,[1] Holdings and Transit are Louisiana companies under common ownership. (Appl. 4–5.) Their majority owner, Bricor, is a Louisiana company that is wholly owned by Begovich.[2] (Appl. 5–6.) Applicants state that Transit is the only motor passenger carrier affiliated with Bricor and Begovich. (Suppl. 2–3, Aug. 1, 2025.) According to Applicants, Transit provides contractual labor transportation services in Louisiana and aims to expand its service to Texas.[3] (Suppl. 6, Aug. 1, 2025.)

Applicants state that, pursuant to an asset purchase agreement, Holdings will acquire substantially all the assets of Dixieland, including 21 motorcoaches and non-motorcoach assets.[4] (Appl. 2–3.) Holdings will then lease the motorcoaches to Transit for operation. (*Id.* at 3.) Applicants assert that Dixieland's shareholders intend to withdraw from the motorcoach passenger business following consummation of the proposed transaction, while Dixieland's brand continues as a going concern with Applicants assuming responsibility for its operations and service. (*Id.*)

According to Applicants, Dixieland is a Louisiana corporation that provides event-specific charter services for sporting events, weddings, conventions, and other events.[5] (Suppl. 1, 5–6, Aug. 1, 2025.) Applicants state that Dixieland's customers largely consist of schools, universities, the military, churches, and civic organizations. (*Id.* at 6.) According to Applicants, Dixieland operates 21 power units and employs approximately 39 drivers. (*Id.* at 5.) The application states that 82% of Dixieland's charter service during the year ending on May 31, 2025, was for intrastate travel,[6] and that its interstate motorcoach service operates mostly in Texas, Mississippi, Alabama, and Florida. (*Id.* at 6.)

Applicants also seek after-the-fact authorization for Holdings' December 31, 2024 acquisition of substantially all the assets of New Orleans Tours and assets of its affiliates.[7] (*Id.* at 7; Suppl. 2, Aug. 12, 2025.) Specifically, Holdings acquired 12 motorcoaches and

[5] *See* STB Press Release No. 25–22, STB Gathers More Than 100 Ideas From Legal Practitioners to Streamline Board Processes, *https://www.stb.gov/wp-content/uploads/PR-25-22.pdf* (identifying ''ex parte communications and the use of staff liaisons'' as action item for Board consideration).

[1] The application was supplemented on August 1, 2025, and on August 12, 2025. Therefore, for purposes of determining the procedural schedule and statutory deadlines, the filing date of the application is August 12, 2025. *See* 49 CFR 1182.4(a).

[2] More information about Applicants' corporate structure and ownership can be found in the application. (*See* Appl. 4–6; Suppl. 2–4, Ex. A, Aug. 1, 2025.)

[3] Further information about Transit, including a U.S. Department of Transportation (USDOT) number, motor carrier number, and USDOT safety fitness rating, can be found in the application. (Appl. 5, 9.)

[4] The non-motorcoach assets include real property used as Dixieland's garage facilities, customer lists, telephone numbers, pending motor coach charter customer contracts, charter contract deposits associated with pending charter contracts, parts, equipment, supplies, and website and related software and intangibles. (Appl. 3.)

[5] More information about Dixieland's corporate structure and ownership can be found in the application, along with its USDOT number, motor carrier number, and USDOT safety fitness rating. (Appl. 2; Suppl. 6, Aug. 1, 2025.)

[6] The application states that 90% of Dixieland's service originates within 300 miles of its Baton Rouge, La., terminal. (Suppl. 6, Aug. 1, 2025.)

[7] More information about the corporate structure of New Orleans Tours and its affiliates can be found in the application. (Suppl. 7–8, Aug. 1, 2025.) According to the application, New Orleans Tours' Federal Motor Carrier Safety Administration record is now inactive. (*Id.* at 8.)

automobiles from New Orleans Tours, 15 motorcoaches owned by Airport Shuttle, and one sprinter van owned by Car Noir. (Suppl. 7, Aug. 1, 2025.) According to Applicants, at the time Holdings acquired these assets, New Orleans Tours provided intrastate and interstate charter and transportation services including historical tours, paddle wheel tours, sightseeing tours, and swamp tours. (*Id.* at 8.) Applicants further state that Airport Shuttle operated intrastate, offering ride share shuttle service from the New Orleans Airport to hotels and other accommodations, and that Car Noir was not a carrier. (*Id.*) According to Applicants, Transit will acquire from Holdings the right to operate the assets of New Orleans Tours and its affiliates, and Transit will expand its services to include contractual shuttle and charter services for events, conventions, sporting events, and site-seeing tours. (*Id.* at 6–7.)

Under 49 U.S.C. 14303(b), the Board must approve and authorize a transaction that it finds consistent with the public interest, taking into consideration at least (1) the effect of the proposed transaction on the adequacy of transportation to the public, (2) the total fixed charges resulting from the proposed transaction, and (3) the interest of affected carrier employees. Applicants have submitted the information required by 49 CFR 1182.2, including information demonstrating that the proposed transaction is consistent with the public interest under 49 U.S.C. 14303(b), *see* 49 CFR 1182.2(a)(7), and a jurisdictional statement under 49 U.S.C. 14303(g) that the aggregate gross operating revenues of the involved carriers exceeded $2 million during a consecutive 12-month period ending not more than 6 months before the date of the agreement of the parties, *see* 49 CFR 1182.2(a)(5).

Acquisition of Dixieland Assets. Applicants state that the proposed transaction will materially enhance the adequacy and efficiency of transportation to the public by enabling coordinated deployment of operational assets under their unified control. (Appl. 7.) Applicants further claim that the proposed transaction will increase availability and improve utilization of motor carrier service, resulting in greater service reliability and operational efficiency. (*Id.*) Applicants assert that Transit's management will ensure continuity of operations and a seamless transition, without service interruptions or adverse impacts to the public. (*Id.* at 8.) Further, Applicants argue that existing service levels will be maintained and enhanced through the leveraging of consolidated resources and more efficient scheduling. (*Id.*) Applicants also argue that the proposed transaction will facilitate service expansion into new or underserved areas. (*Id.*) As to potential competitive effects, Applicants state that Dixieland's service faces intense competition from motorcoach providers and other modes of transportation, including private motor vehicles, intercity passenger rail service, and passenger airline service. (Suppl. 6, Aug. 1, 2025.) Applicants also state that Dixieland does not compete with Transit, which provides contractual labor transportation. (*Id.*) Further, Applicants state that Transit hopes the proposed transaction will allow it to expand its services at competitive rates. (*Id.* at 7.)

With respect to fixed charges, Applicants state that the proposed transaction will not result in a substantial change to such charges. (Appl. 8.) Applicants state that only limited debt financing or borrowed funds will be utilized in executing the proposed transaction, and thus it will not generate unreasonable amounts of interest expense. (*Id.*) In addition, Applicants state that Holdings will assume substantially all of Dixieland's existing service contracts at the same rates and terms consistent with those currently in effect. (*Id.*)

According to Applicants, the proposed transaction will not result in a material disruption to the existing workforce or negatively impact labor conditions or employee rights. (*Id.* at 9.) Applicants claim that they will offer employment to all Dixieland personnel under the same terms and conditions in effect prior to the proposed transaction. (*Id.*) Applicants further assert that they have no plans to implement any workforce reductions, layoffs, or adverse changes to employee compensation or benefits. (*Id.*)

Prior Acquisition of Assets of New Orleans Tours and its Affiliates. Applicants assert that Holdings' prior acquisition was consistent with the public interest. (Suppl. 10, Aug. 1, 2025.) According to Applicants, the prior acquisition materially enhanced the adequacy and efficiency of transportation to the public by enabling the coordinated deployment of operational assets under unified control. (*Id.* at 9.) Applicants also assert that the acquisition led to greater service availability, resulting in increased reliability and operational efficiency, and that there were no service interruptions or adverse impacts to the public. (*Id.* at 9–10.) Applicants also state that, in the relevant geographic market, a substantial number of competitors continue to operate. (*Id.* at 10.) With respect to fixed charges, Applicants argue that the acquisition did not result in a substantial change to the charges of the consolidated entity and was executed with minimal reliance on debt financing or borrowed capital. (*Id.* at 10–11.) In addition, Applicants state that they have continued the operations of New Orleans Tours without disruptions in employment for existing personnel, as all former New Orleans Tours employees accepted comparable or enhanced positions with Transit. (*Id.* at 11.)

Based on Applicants' representations, the Board finds that Applicants' proposed acquisition of the Dixieland assets is consistent with the public interest and should be tentatively approved and authorized. The Board also finds that Applicants' prior acquisition of the assets of New Orleans Tours and its affiliates is consistent with the public interest and should be tentatively approved and authorized after the fact. If any opposing comments are timely filed, these findings will be deemed vacated and, unless a final decision can be made on the record as developed, a procedural schedule will be adopted to reconsider the application. *See* 49 CFR 1182.6. If no opposing comments are filed by the expiration of the comment period, this notice will take effect automatically and will be the final Board action in this proceeding.

This action is categorically excluded from environmental review under 49 CFR 1105.6(c).

Board decisions and notices are available at *www.stb.gov.*

It is ordered:

1. The proposed acquisition of property of Dixieland by Applicants is approved and authorized, subject to the filing of opposing comments.

2. Applicants' prior acquisition of the assets of New Orleans Tours and its affiliates is approved and authorized after the fact, subject to the filing of opposing comments.

3. If opposing comments are timely filed, the findings made in this notice will be deemed vacated.

4. This notice will be effective October 28, 2025, unless opposing comments are filed by October 27, 2025. If any comments are filed, Applicants may file a reply by November 10, 2025.

5. A copy of this notice will be served on: (1) the U.S. Department of Transportation, Federal Motor Carrier Safety Administration, 1200 New Jersey Avenue SE, Washington, DC 20590; (2) the U.S. Department of Justice, Antitrust Division, 10th Street & Pennsylvania Avenue NW, Washington, DC 20530;

and (3) the U.S. Department of Transportation, Office of the General Counsel, 1200 New Jersey Avenue SE, Washington, DC 20590.

Decided: September 5, 2025.

By the Board, Board Members Fuchs, Hedlund, and Schultz.

Brendetta Jones,

Clearance Clerk.

[FR Doc. 2025–17479 Filed 9–10–25; 8:45 am]

BILLING CODE 4915–01–P

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

Notice of Final Federal Agency Actions on Proposed Transportation Project in Utah

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

ACTION: Notice of limitation on claims for judicial review.

SUMMARY: The FHWA, on behalf of the Utah Department of Transportation (UDOT), is issuing this notice to announce actions taken by UDOT and other Federal agencies that are final agency actions. These actions relate to the proposed transportation improvements on Interstate 80 (I–80) and State Route 224 (SR–224) through Olympic Parkway in Kimball Junction, Summit County, Utah. The proposed action includes interchange capacity improvements, as well as intersection and active transportation improvements on SR–224 at Ute Boulevard and Olympic Parkway. One additional through travel lane will be added in each direction on SR–224 through Olympic Parkway.

DATES: By this notice, the FHWA, on behalf of UDOT, 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 February 9, 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 Environmental Impact Statement (EIS), Record of Decision (ROD) and additional project documents can be viewed and downloaded from the project website at: *https://kimballjunctioneis.udot.utah.gov/* or by contacting UDOT Environmental Services, 4501 South 2700 West, P.O. Box 148450 Salt Lake City, UT 84114–8450, 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: Carissa Watanabe, Environmental Program Manager, UDOT Division of Environmental Services; 503–939–3798; *cwatanabe@utah.gov*.

SUPPLEMENTARY INFORMATION: Effective January 17, 2017, and as subsequently renewed on May 26, 2022, the FHWA assigned, and UDOT assumed, environmental responsibilities for this project pursuant to 23 U.S.C. 327. Notice is hereby given that UDOT 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 UDOT and other Federal agencies on the project, and the laws under which such actions were taken are described in the ROD approved on August 15, 2025, and in other project records for the listed project. The EIS, ROD and other documents for the listed project are available by contacting UDOT at the address provided above.

The project subject to this notice is:

Project Location: The project limits include I–80: Milepost (MP) 143.2–145.6; and SR–224: MP 11.1–11.6; in Summit County, Utah.

Project Actions: This notice applies to the EIS, ROD and all other Federal agency licenses, permits, or approvals for the listed project as of the issuance date of this notice including but not limited to the Section 4(f) Evaluation 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]; Fish and Wildlife Coordination Act [16 U.S.C. 661–667(d)]; Migratory Bird Treaty Act (MBTA) [16 U.S.C. 703–712].

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].

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]; 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: September 8, 2025.

Ivan Marrero,

Division Administrator, Federal Highway Administration.

[FR Doc. 2025–17484 Filed 9–10–25; 8:45 am]

BILLING CODE 4910–RY–P

DEPARTMENT OF TRANSPORTATION

Office of the Secretary of Transportation

[Docket No.: DOT–OST–2025–0898]

DOT Advisory Committee on Human Trafficking

AGENCY: Office of the Secretary of Transportation (OST), U.S. Department of Transportation (DOT).

ACTION: Notice; solicitation of nominations for membership.

SUMMARY: The Department solicits nominations for membership to serve on the DOT Advisory Committee on Human Trafficking, which is required to make triennial recommendations to the Secretary of Transportation on countering human trafficking in the transportation sector.

DATES: The deadline for nominations for Committee members must be received on or before October 14, 2025.

ADDRESSES: All nomination materials should refer to the docket number above and be submitted by one of the following methods:

- *Federal Rulemaking Portal: https://www.regulations.gov.* Follow the online instructions for submitting comments.
- *Mail:* Docket Management Facility, U.S. Department of Transportation, 1200 New Jersey Avenue SE, West Building Ground Floor, Room W12–140, Washington, DC 20590–0001.
- *Hand Delivery:* 1200 New Jersey Avenue SE, West Building Ground Floor, Room W12–140, Washington, DC, between 9 a.m. and 5 p.m. ET, Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: Maha Alkhateeb, Senior Counter-Trafficking Advisor, Office of the Secretary's Office of International Transportation and Trade, *maha.alkhateeb@dot.gov,* 202–366–8160.

SUPPLEMENTARY INFORMATION: The DOT Advisory Committee on Human Trafficking was established by the Secretary of Transportation on October 3, 2018 in accordance with section 5(a) of the 2018 Combating Human Trafficking in Commercial Vehicles Act (Pub. L. 115–99), reestablished on July 29, 2022 in accordance with section 23020 of the Infrastructure Investment and Jobs Act (Pub. L. 117–58), and it operates in accordance with the Federal Advisory Committee Act, 5 U.S.C. ch. 10. The Committee is continuing, but subject to renewal every two years; its current charter expires on July 29, 2026. The purpose of the DOT Advisory Committee on Human Trafficking is to make triennial recommendations to the Secretary of Transportation on countering human trafficking in the transportation sector.

In particular, the DOT Advisory Committee on Human Trafficking must submit a triennial counter-trafficking report that relates to human trafficking violations involving commercial motor vehicles and includes recommendations for countering human trafficking and an assessment of best practices by transportation stakeholders. The Committee is expected to meet quarterly and subcommittee meetings are expected to meet monthly, or as determined necessary by the Committee chairperson and Designated Federal Officer. Unless otherwise required by law or approved by the Secretary, all meetings will be held virtually. Members must actively participate in Committee deliberations and contribute substantively to the Committee's work. Committee service requires review of complex materials, participation in subcommittee work, preparation for meetings outside of scheduled Committee sessions, stakeholder consultations, online research, drafting of report content, report preparation, and translating specialized knowledge into actionable recommendations.

In this notice, the Department is soliciting nominations for membership to the Committee. The Committee shall report to the Secretary through the Assistant Secretary for Aviation and International Affairs. In accordance with the 2018 Combating Human Trafficking in Commercial Vehicles Act, the Committee comprises 15 members, representing trafficking advocacy organizations; law enforcement; and the trucking, bus, rail, aviation, maritime, and port sectors, including industry and labor. Appointments are for the life of the Committee.

The Department is interested in ensuring membership is balanced fairly in terms of the points of view represented and the functions to be performed by the Committee.

Process and Deadline for Submitting Nominations: Qualified individuals can self-nominate or be nominated by any individual or organization. Past members of the Committee are welcome to apply. To be considered for the DOT Advisory Committee on Human Trafficking, nominators should submit the following information:

(1) Name, title, and relevant contact information (including phone, fax, and email address) of the individual requesting consideration;

(2) A letter of support from a company, union, trade association, academic, or nonprofit organization on letterhead containing a brief description of the nominee's counter-trafficking expertise and why they should be considered for membership;

(3) A short biography of the nominee, including professional and academic credentials, counter-trafficking expertise and accomplishments, and any experience serving on advisory committees;

(4) An affirmative statement that the nominee meets all Committee eligibility requirements. Please do not send company, trade association, or organization brochures or any other information. Materials submitted should total two pages or less. Should more information be needed, DOT staff will contact the nominee, obtain information from the nominee's past affiliations, or obtain information from publicly available sources, such as the internet. Nominations must be received before October 14, 2025. Nominees selected for appointment to the Committee will be notified by return email and by a letter of appointment.

Issued in Washington, DC, on September 8, 2025.

Daniel J. Edwards,

Principal Deputy Assistant Secretary for Aviation and International Affairs.

[FR Doc. 2025–17497 Filed 9–10–25; 8:45 am]

BILLING CODE 4910–9X–P

DEPARTMENT OF TRANSPORTATION

[Docket No. DOT–OST–2004–16951]

Request for Comments of a Previously Approved Information Collection

AGENCY: Office of the Secretary (OST), Department of Transportation (DOT).

ACTION: Notice and request for comments.

SUMMARY: In compliance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), this notice announces that the Information Collection Request (ICR) abstracted below is being forwarded to the Office of Management and Budget (OMB) for review and comments. A **Federal Register** Notice with a 60-day comment period soliciting comments on the following information collection was published on July 10, 2025. No comments were received.

DATES: Comments must be submitted on or before October 14, 2025.

ADDRESSES: Send comments regarding the burden estimate, including suggestions for reducing the burden, to the Office of Management and Budget, Attention: Desk Officer for the Office of

the Secretary of Transportation, 725 17th Street NW, Washington, DC 20503.

Comments are invited on: 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; the accuracy of the Department's estimate of the burden of the proposed information collection; ways to enhance the quality, utility and clarity of the information to be collected; and ways to minimize the burden of the collection of information on respondents, including the use of automated collection techniques or other forms of information technology.

FOR FURTHER INFORMATION CONTACT: Barbara Snoden, (202) 366–4834 (Voice) or *barbara.snoden@dot.gov* (Email), Office of Aviation Analysis, Office of the Secretary, U.S. Department of Transportation, 1200 New Jersey Avenue SE, Washington, DC 20590.

SUPPLEMENTARY INFORMATION:

Title: Exemptions for Air Taxi Operations.

OMB Control Number: 2105–0565.

Type of Request: Renewal of a Previously Approved Information Collection.

Abstract: Part 298 of Title 14 of the Code of Federal Regulations, Exemptions for Air Taxi Registration, establishes a classification of air carriers known as air taxi operators that offer on-demand passenger service. The regulation exempts these small operators from certain provisions of the Federal statute to permit them to obtain economic authority by filing a one-page, front and back, OST Form 4507, Air Taxi Operator Registration, and Amendments under Part 298 of DOT's Regulations.

DOT expects to receive 200 new air taxi registrations and 2,200 amended air taxi registrations each year, resulting in 2,400 total respondents. Further, DOT expects filers of new registrations to take 1 hour to complete the form, while it should only take 30 minutes to prepare amendments to the form. Thus, the total annual burden is expected to be 1,300 hours.

Affected Public: U.S. air taxi operators.

Number of Respondents: 2,400.

Frequency: On occasion.

Number of Responses: 2,400.

Total Annual Burden: 1,300 hours.

Authority: The Paperwork Reduction Act of 1995; 44 U.S.C. Chapter 35, as amended; and 49 CFR 1.48.

Issued in Washington, DC.

Lauralyn Jean Remo Temprosa,

Associate Director, Air Carrier Fitness Division, Office of Aviation Analysis.

[FR Doc. 2025–17529 Filed 9–10–25; 8:45 am]

BILLING CODE 4910–9X–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

Open Meeting of the Taxpayer Advocacy Panel's Joint Committee

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Notice of meeting.

SUMMARY: An open meeting of the Taxpayer Advocacy Panel's Joint Committee Project Committee will be conducted. The Taxpayer Advocacy Panel is soliciting public comments, ideas, and suggestions to improve customer service at the Internal Revenue Service. This meeting will be held as a virtual video conference via the Microsoft Teams platform.

DATES: The meeting will be held Thursday, September 25, 2025, at 2:00 p.m. Eastern Time.

FOR FURTHER INFORMATION CONTACT: Rosalind Matherne at 1–888–912–1227, 202–317–4115, or by email at *taxpayer.advocacy.panel@irs.gov.*

SUPPLEMENTARY INFORMATION: Notice is hereby given pursuant to Section 10(a)(2) of the Federal Advisory Committee Act, 5 U.S.C. App. (1988), that an open meeting of the Taxpayer Advocacy Panel Joint Committee Project Committee will be held on Thursday, September 25, 2025, at 2:00 p.m. Eastern Time.

The public is invited to attend the meeting virtually, or by phone, and may provide oral comments or submit written statements for consideration. Due to meeting structure and time limitations, advance registration is required to attend or make public comments during the meeting. To register and receive meeting access information, please contact Rosalind Matherne at the contact information above no later than Thursday, September 18, 2025.

Meeting materials, including the agenda and any handouts, will be made available prior to the meeting at *www.improveirs.org.*

The agenda will include a committee discussion of new and continuing issues and other activities related to the new TAP year.

Dated: September 8, 2025.

John A. Lipold,

Designated Federal Officer, Taxpayer Advocacy Panel.

[FR Doc. 2025–17436 Filed 9–10–25; 8:45 am]

BILLING CODE 4830–01–P

DEPARTMENT OF THE TREASURY

Government Securities: Call for Large Position Reports

AGENCY: Department of the Treasury.

ACTION: Notice of call for Large Position Reports.

SUMMARY: The U.S. Department of the Treasury (Treasury) called for the submission of Large Position Reports by entities whose positions in the 4⅝% Treasury Bonds of February 2055 equaled or exceeded $6.9 billion as of Monday, June 2, 2025.

DATES: Reports must be received by 12:00 p.m. Eastern Time on Monday, September 15, 2025.

ADDRESSES: All entities are encouraged to submit reports using Treasury's webform (available at *https://www.treasurydirect.gov/laws-and-regulations/gsa/lpr-form/*). Reports may also be faxed to Treasury at (202) 504–3788 if a reporting entity has difficulty using the webform.

FOR FURTHER INFORMATION CONTACT: Lori Santamorena, Kevin Hawkins, John Garrison, or Luisa Jou-Penchev, Government Securities Regulations Staff, Department of the Treasury, at 202–504–3632 or *govsecreg@fiscal.treasury.gov.*

SUPPLEMENTARY INFORMATION: In a public announcement issued on September 9, 2025, Treasury called for Large Position Reports from entities whose positions in the 4⅝% Treasury Bonds of February 2055 (CUSIP 912810UG1) equaled or exceeded $6.9 billion as of Monday, June 2, 2025. Entities with positions in this Treasury Bond below the reporting threshold as of the reporting date are not required to submit Large Position Reports.

This call for Large Position Reports is pursuant to Treasury's large position reporting rules (17 CFR part 420) under the Government Securities Act, as amended (see 15 U.S.C. 78o–5(f)). Reports must be received by Treasury before 12:00 p.m. Eastern Time on Monday, September 15, 2025, and must include the required positions and administrative information.

The 4⅝% Treasury Bonds of February 2055 have a CUSIP number of 912810UG1, a STRIPS principal component CUSIP number of

912803HH9, and a maturity date of February 15, 2055.

The public announcement, a sample Large Position Report (which appears in Appendix B of the large position reporting rules at 17 CFR part 420), supplementary formula guidance, and a series of training modules are available at *https://www.treasurydirect.gov/laws-and-regulations/gsa/lpr-reports/.*

The collection of large position information has been approved by the Office of Management and Budget pursuant to the Paperwork Reduction Act under OMB Control Number 1530–0064.

Brian Smith,

Deputy Assistant Secretary for Federal Finance.

[FR Doc. 2025–17558 Filed 9–10–25; 8:45 am]

BILLING CODE 4810–AK–P

DEPARTMENT OF VETERANS AFFAIRS

Advisory Committee on Cemeteries and Memorials, Notice of Meeting

The Department of Veterans Affairs (VA) gives notice under the Federal Advisory Committee Act, 5 U.S.C. Ch. 10, that the annual meeting of the Advisory Committee on Cemeteries and Memorials will be held October 28–29, 2025. The meeting sessions will begin and end as follows:

Date(s)	Time(s)	Location(s)	Open to the public
October 28, 2025	8:30 a.m. to 4:00 p.m. Eastern Standard Time (EST).	811 Vermont Avenue NW, Room 6136, Washington, DC 20420.	Yes.
October 29, 2025	9:00 a.m. to 4:00 p.m. EST	811 Vermont Avenue NW, Room 6136, Washington, DC 20420.	Yes.

The meeting sessions are open to the public.

The purpose of the Committee is to advise the Secretary of Veterans Affairs on the administration of national cemeteries, soldiers' lots and plots, the selection of new national cemetery sites, the erection of appropriate memorials, and the adequacy of Federal burial benefits. The Committee makes recommendations to the Secretary regarding such activities.

On Wednesday, October 28, 2025, the Committee will convene an open session from 8:30 a.m. to 4:00 p.m. EST. The agenda will include remarks from the National Cemetery Administration leadership, and briefings from the VA Advisory Committee Management Office, Office of Engagement and Memorial Innovation, Missing in America Project and a panel discussion on VA Interments of Unclaimed Veteran Remains.

On Thursday, October 29, 2025, the Committee will convene an open session from 9:00 a.m. to 4:00 p.m. EST. The agenda will include an overview of the VA Centralized Outreach Module, committee discussion, and review of recommendations. Additionally, time will be allotted for the public to provide comments starting at 2:30 p.m. EST and ending no later than 3:00 p.m. EST. The comment period may end sooner, if there are no comments presented or they are exhausted before the end time. Individuals interested in providing comments during the public comment period are allowed no more than three minutes for their statements.

Any member of the public seeking additional information or that wish to attend the meeting in person should contact Ms. Faith Hopkins, Designated Federal Officer, at 202–603–4499. Please leave a voice mail message. The Committee will also accept written comments. Comments may be transmitted electronically to the Committee at *faith.hopkins@va.gov.* In the public's communications with the Committee, the writers must identify themselves and state the organizations, associations, or persons they represent.

Any member of the public who wishes to attend the meeting virtually may dial in by calling (872) 701–0185, access code: 494 551 893#.

Dated: September 9, 2025.

Jelessa M. Burney,

Federal Advisory Committee Management Officer.

[FR Doc. 2025–17536 Filed 9–10–25; 8:45 am]

BILLING CODE 8320–01–P

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